

STATE OF ILLINOIS
LEGISLATIVE INFORMATION SYSTEM
94th GENERAL ASSEMBLY

94th GENERAL ASSEMBLY

Synopsis of Legislation

Legislation Passed Both Houses with Last Action

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 00542 Rep. Mike Boland-Daniel J. Burke-Jack D. Franks-JoAnn D. Osmond-Thomas Holbrook
 (Sen. Martin A. Sandoval-M. Maggie Crotty and Ira I. Silverstein)

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Illinois Income Tax Act to create a tax checkoff for the Heartsaver AED Fund. Effective immediately.

Jun 19 06 H Public Act 94-0876

HB 00708 Rep. William B. Black-John A. Fritchey-Richard P. Myers-Michael K. Smith, Raymond Poe, Dan Reitz, Thomas Holbrook, Jack D. Franks, Patrick J Verschoore, Linda Chapa LaVia, Dan Brady, Jim Watson, Art Tenhouse, Rich Brauer and Jim Sacia
 (Sen. John M. Sullivan-M. Maggie Crotty)

625 ILCS 5/15-102 from Ch. 95 1/2, par. 15-102

625 ILCS 5/15-111 from Ch. 95 1/2, par. 15-111

Amends the Illinois Vehicle Code. Provides that certain large vehicles have access from any designated (rather than any State designated) highway onto any state, county, township, or municipal highway for the necessary distance (rather than for 5 highway miles) for purposes of loading or unloading if specified conditions are met. Provides that these vehicles have access from any designated (rather than any State designated) highway onto any State, county, or township highway for the necessary distance (rather than for 5 highway miles) for the purpose of food, fuel, repairs, and rest if specified conditions are met. Provides that certain large vehicles have access from any designated (rather than any State designated) highway onto any non-designated highway for the necessary distance (rather than for 5 highway miles) for purposes of loading or unloading or for purposes of food, fuel, repairs, and rest.

Senate Floor Amendment No. 1

Deletes reference to:

625 ILCS 5/15-102

Deletes reference to:

625 ILCS 5/15-111

Adds reference to:

625 ILCS 5/18b-101 from Ch. 95 1/2, par. 18b-101

Adds reference to:

625 ILCS 5/18b-105 from Ch. 95 1/2, par. 18b-105

Adds reference to:

625 ILCS 5/1-101.6 rep.

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Adds definitions of agricultural operations, agricultural commodities, farm supplies for agricultural purposes, and livestock, as used in the Illinois Motor Carrier Safety Law. Provides that all of Part 395 of the Federal Motor Carrier Safety Regulations does not apply to agricultural operations at any time of the year, rather than not applying to agricultural movements between February 1 and November 30 of each year. Repeals a provision defining agricultural movements. Effective immediately.

May 05 06 H Public Act 94-0739

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 00874 Rep. Maria Antonia Berrios-Angelo Saviano
(Sen. James A. DeLeo-Dan Rutherford-Rickey R. Hendon)

65 ILCS 5/11-55-2

from Ch. 24, par. 11-55-2

Amends the Illinois Municipal Code. Provides that the amount by which certain municipalities, including home rule units, may increase the fee for a license to operate a vending machine or to dispense goods or services from a vending machine shall not exceed the greater of the amount of the fee multiplied by: (i) 5% or (ii) the percentage increase in the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor during the 12-month calendar year preceding the year in which the fee is increased. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Municipal Code. Provides that the amount by which certain municipalities, including home rule units, may annually increase the fee for a license to operate a vending machine or to dispense goods or services from a vending machine shall not exceed the greater of (i) \$25, (ii) the amount of the fee multiplied by 5%, or (iii) the amount of the fee multiplied by the percentage increase in the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor during the 12-month calendar year preceding the year in which the fee is increased. Effective immediately.

Jun 30 06 H Public Act 94-0967

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 01299 Rep. Constance A. Howard-Paul D. Froehlich-Deborah L. Graham-Karen May-Eddie Washington, Karen A. Yarbrough, Marlow H. Colvin, Cynthia Soto, William Davis and Donald L. Moffitt
 (Sen. Iris Y. Martinez-John J. Cullerton, Don Harmon, Jacqueline Y. Collins, Ira I. Silverstein-Susan Garrett-Dale A. Righter, Pamela J. Althoff, Cheryl Axley, Mattie Hunter, James A. DeLeo, Dale E. Risinger, William R. Haine, Jeffrey M. Schoenberg and Kimberly A. Lightford)

New Act

Creates the Predator Accountability Act. Creates a cause of action against a person who: (i) coerced an individual into prostitution; (ii) coerced an individual to remain in prostitution; (iii) used coercion to collect or receive any of an individual's earnings derived from prostitution; or (iv) advertised or published advertisements for purposes of recruitment into prostitution. Provides for damages for violation of the Act. Exempts the provisions of joint and several liability to actions brought under the Act. Lists non-defenses to an action brought under the Act. Provides for the award of costs to the prevailing party.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Adds findings of the General Assembly. Removes the definition of "prostitution" and "coerce". Defines "sex trade". Provides for a separate cause of action where an individual has engaged in retaliation against any plaintiff in a proceeding under the Act, any member of a plaintiff's family, any person who in good faith has opposed anything that he or she reasonably believed to be a violation of the Act, or any person who has filed a complaint, testified, assisted, or participated in a proceeding pursuant to the Act. Adds to the list of actions that are not defenses under the Act, that the plaintiff continued to engage in sex trade activity after terminating contact with the defendant. Makes other changes. Effective immediately

House Amendment No. 2

Provides that any illegality of the sex trade activities on the part of the plaintiff shall not be an affirmative defense to any action brought under this Act.

Senate Committee Amendment No. 4

Adds reference to:

735 ILCS 5/13-225 new

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Changes the definition of "sex trade". Defines "victim of the sex trade". Provides that a victim of the sex trade has a cause of action against a person or entity who (i) recruits, harms or profits from, or maintains the victim in any sex trade act, or (ii) knowingly advertises or publishes advertisements for purposes of recruitment into sex trade activity. Provides for additional damages in the amount of the gross revenues received by the defendant from, or related to, the sex trade activities of the plaintiff. Provides that the fact that a plaintiff or other witness has testified under oath or given evidence relating to an act that may be a violation of any provision of the Criminal Code of 1961 shall not be construed to require the State's Attorney to criminally charge any person for such violation. Removes language concerning the admission of evidence of prior convictions. Amends the Code of Civil Procedure to establish a statute of limitations for predator accountability causes of action. Makes other changes. Effective immediately.

Senate Floor Amendment No. 5

Provides a cause of action by a victim of the sex trade against a person who intentionally abuses or causes bodily harm to the victim in any sex trade act. Makes an exemption from liability for any person or entity who provides goods or services to the general public and to a person or entity who would be liable under the Act, unless one of the listed conditions is met.

Jul 03 06 H Public Act 94-0998

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 01463 Rep. Robert F. Flider-Dave Winters-Linda Chapa LaVia-Donald L. Moffitt-Ruth Munson, Daniel V. Beiser, Careen M Gordon, Lisa M. Dugan, Ronald A. Wait and Charles E. Jefferson
 (Sen. Frank C. Watson-Larry K. Bomke-Christine Radogno-Cheryl Axley, Pamela J. Althoff, Martin A. Sandoval and Mike Jacobs)

105 ILCS 5/26-3a from Ch. 122, par. 26-3a
 625 ILCS 5/6-107 from Ch. 95 1/2, par. 6-107
 625 ILCS 5/6-108 from Ch. 95 1/2, par. 6-108
 625 ILCS 5/6-201 from Ch. 95 1/2, par. 6-201

Amends the Illinois Vehicle Code and the School Code. Provides, beginning August 1, 2005, with certain exceptions, for the cancellation of or refusal to issue a driver's license for failure of an unmarried person under 18 years of age to maintain school attendance. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code and the School Code. Provides, beginning July 1, 2007, with certain exceptions, for the cancellation of or refusal to issue a driver's license or permit for failure of an unmarried person under 18 years of age to maintain school attendance. Provides that each school district shall establish written criteria for the school superintendent to use in determining whether a pupil's failure to attend school is the result of extraordinary circumstances of economic or medical necessity or family hardship. Provides for reinstatement of the license or permit if the person resumes school attendance or home instruction or shows that the license or permit was cancelled or denied in error. Provides that the Secretary of State shall adopt rules for implementing those provisions. Provides for quarterly notice by every local school district to the Secretary of State of the names of students no longer enrolled. Provides that the local school district shall, as soon as possible, notify the Secretary of State if a pupil previously reported as no longer enrolled returns to school. Provides that the school district shall provide the Secretary of State with the names of pupils who have returned to school after previously having been reported as dropouts. Effective immediately.

House Amendment No. 3

Adds reference to:

625 ILCS 5/6-107.1

Deletes everything after the enacting clause. Re-inserts the provisions of the amended bill, with changes and additions. Provides also for the cancellation of the license or permit of any person under 18 certified to be a chronic or habitual truant. Provides that the quarterly reports shall include the names of pupils certified to be chronic or habitual truants, those previously certified as truants who have resumed regular school attendance, and those with extraordinary circumstances, including but not limited to (rather than of) economic or medical necessity or family hardship. Provides that the quarterly report shall include the names of pupils who have re-enrolled in school after their names were dropped from the attendance rolls. Deletes language requiring the local school district to notify the Secretary of State as soon as possible if a pupil dropped from attendance rolls re-enrolls. Provides that the student must obtain and forward to the Secretary of State, on a form designated by the Secretary of State, verification by the local school board of his or her re-enrollment or return to regular school attendance. Provides that the State Board of Education shall provide to any person, upon request, a comparison of drop out rates before and after the effective date of the amendatory Act. Changes the effective date to July 1, 2007.

Jun 26 06 H Public Act 94-0916

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 01620 Rep. Careen M Gordon-Lisa M. Dugan-Jack McGuire-Barbara Flynn Currie-Thomas Holbrook, Karen May, Jack D. Franks, Linda Chapa LaVia and Renee Kosel
(Sen. Gary G. Dahl-Debbie DeFrancesco Halvorson-Arthur J. Wilhelmi)

415 ILCS 5/19.9 from Ch. 111 1/2, par. 1019.9

Amends the Environmental Protection Act. Makes a technical change in a Section concerning how the Title regarding water pollution control and public water supplies is construed.

House Amendment No. 1

Deletes reference to:

415 ILCS 5/19.9 from Ch. 111 1/2, par. 1019.9

Adds reference to:

415 ILCS 5/13.6 new

Deletes everything after the enacting clause. Amends the Environmental Protection Act. Requires the owner or operator of a nuclear power plant to report to the Environmental Protection Agency any unpermitted release of a contaminant within 24 hours. Provides that an "unpermitted release" means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a contaminant into groundwater, surface water, or soil that is not permitted under State or federal law or regulation. Requires the Agency to inspect each nuclear power plant with respect to unpermitted releases no less than once each quarter every calendar year. Requires that no later than one year after the effective date of this amendatory Act, the Agency shall propose rules to the Board prescribing standards for detecting and reporting unpermitted releases of contaminants at nuclear power plants (including, but not limited to, tritium or other radionuclides). Provides that no later than one year after receipt of the Agency's proposal, the Board shall adopt rules prescribing standards for detecting and reporting unpermitted releases of contaminants at nuclear power plants. Authorizes rules to include standards for self-monitoring by the owner or operator of the nuclear power plant. Adds other provisions. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as engrossed. Provides that the purpose of this Section is the detection and reporting of unpermitted releases of "radionuclides" (instead of "contaminants" including radionuclides) into groundwater, surface water, or soil at nuclear power plants. Makes corresponding changes reflecting this purpose. Requires the owners of a nuclear power plant to notify the Environmental Protection Agency (IEPA) and the Illinois Emergency Management Agency (IEMA) within 24 hours of an unpermitted release. Provides that the quarterly inspections shall be by both IEPA and IEMA. Requires IEPA to consult IEMA in proposing rules to the Pollution Control Board that prescribe standards for detecting and reporting unpermitted releases of radionuclides. Provides that these rules may include standards for self-inspection by the owner or operator of the nuclear power plant in lieu of the IEPA and IEMA quarterly inspections. Effective immediately.

Jun 12 06 H Public Act 94-0849

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 01918 Rep. Robert S. Molaro-Jay C. Hoffman-Eddie Washington
 (Sen. James F. Clayborne, Jr.-Rickey R. Hendon, Louis S. Viverito, Todd Sieben and Dan Cronin-Wendell E. Jones)

230 ILCS 10/20 from Ch. 120, par. 2420

Amends the Riverboat Gambling Act. Makes a technical change in a Section concerning prohibited activities.

House Amendment No. 1

Deletes reference to:

230 ILCS 10/20

Adds reference to:

30 ILCS 105/8h

Adds reference to:

230 ILCS 5/54

Adds reference to:

230 ILCS 10/7

from Ch. 120, par. 2407

Adds reference to:

230 ILCS 10/13

from Ch. 120, par. 2413

Adds reference to:

230 ILCS 10/23

from Ch. 120, par. 2423

Adds reference to:

30 ILCS 105/5.490 rep.

Deletes everything. Amends the Illinois Horse Racing Act of 1975 to change the Horse Racing Equity Fund into the Horse Racing Equity Trust Fund. Provides that the Horse Racing Equity Trust Fund shall be a non-appropriated trust fund held separate and apart from State moneys. Provides that the Trust Fund shall be administered by the Illinois Gaming Board. Changes how moneys in the Fund shall be distributed. Amends the Riverboat Gambling Act. Provides that certain owners licensees must pay an amount equal to 3% of adjusted gross receipts into the Horse Racing Equity Trust Fund. Amends the State Finance Act to provide that the Governor may not direct the State Treasurer and Comptroller to transfer moneys from the Horse Racing Equity Trust Fund to the General Revenue Fund and to repeal the Section creating the Horse Racing Equity Fund. Contains a severability clause. Effective immediately.

Judicial Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

Would neither increase nor decrease the number of judges needed in the State.

Pension Note (H-AM 1) (Admin. Office of the Illinois Courts)

HB1918 (H-AM 1) will not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

HB 1918 (H-AM 1) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Fiscal Note (H-AM 1) (Dept. of Revenue)

This payment is expected to generate an additional \$36 million per year.

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

Home Rule Note (H-AM 1) (Dept. of Commerce & Econ Opportunity)

Does not pre-empt home rule authority.

Balanced Budget Note (H-AM 1)(Governor's Office of Mgmt & Budget)

HB 1918 (H-AM 1) has a fiscal impact of approximately \$54 million in additional annual revenues to the Horse Racing Equity Trust Fund.

Housing Affordability Impact Note (H-AM 1) (Housing Development Authority)

No fiscal effect on a single-family residence.

Correctional Note (H-AM 1)(Dept of Corrections)

There is no corrections population impact on the Department.

Senate Floor Amendment No. 3

Deletes reference to:

230 ILCS 5/54

Deletes reference to:

HB 01918 (CONTINUED)

30 ILCS 105/5.490 rep.

Adds reference to:

230 ILCS 5/54.5 new

Restores to current law the provisions concerning the Horse Racing Equity Fund. Instead places the Horse Racing Equity Trust Fund language from the engrossed bill in a new Section of the Illinois Horse Racing Act of 1975 and adds a provision repealing the Section 2 years after the effective date of the amendatory Act. Provides that, for a period of 2 years beginning on the effective date of the amendatory Act, the specified owners licensees must make the 3% payment into the Horse Racing Equity Trust Fund. After the 2-year period, the current provisions requiring certain owners to pay 15% adjusted gross receipts will apply (moneys that will go into the Horse Racing Equity Fund). Restores a provision concerning appropriation of moneys from the General Revenue Fund to the Education Assistance Fund in an amount equal to the amount paid into the Horse Racing Equity Fund in the prior calendar year. Replaces the severability clause with an inseverability clause.

May 26 06 H Public Act 94-0804

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 02067 Rep. Annazette Collins-Monique D. Davis, Robert S. Molaro and Shane Cultra
 (Sen. Kwame Raoul and John J. Cullerton)

720 ILCS 5/16G-15

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the offense of identity theft.

House Amendment No. 2

Deletes reference to:

720 ILCS 5/16G-15

Adds reference to:

730 ILCS 150/2

from Ch. 38, par. 222

Adds reference to:

730 ILCS 150/3

from Ch. 38, par. 223

Adds reference to:

730 ILCS 150/3-5 new

Deletes everything after the enacting clause. Amends the Sex Offender Registration Act. Eliminates provisions that a person who is defined as a sex offender as a result of being adjudicated a juvenile delinquent upon attaining 17 years of age shall be considered as having committed the sex offense on or after the sex offender's 17th birthday and that registration of juveniles upon attaining 17 years of age shall not extend the original registration of 10 years from the date of conviction. Provides that in all cases involving an adjudicated juvenile delinquent who meets the definition of sex offender as set forth in the Act, the court may determine whether to order registration, and if so, the duration of the registration. Provides that once an adjudicated juvenile delinquent is ordered to register as a sex offender, the adjudicated juvenile delinquent shall be subject to the registration requirements of the Act. Provides that 90 days prior to the completion of an adjudicated juvenile delinquent's term of registration, the clerk of the court shall provide notice to the parties of a hearing regarding status of registration. Provides that prior to the registration status hearing, the State's Attorney may petition for the continuation of the term of registration. Provides that at the registration status hearing, if the State's Attorney fails to file a petition for continuation of term of registration, or if the court determines, based upon certain risk factors that the registrant no longer poses a serious risk to the community, registration shall be terminated. Provides that upon the State's presentation of clear and convincing evidence that the registrant poses a serious risk to the community, the court may extend registration and determine which, if any, conditions of registration shall apply. Provides that after the registrant completes the term of his or her registration, his or her name, address, and all other identifying information shall be removed from all State and local registries. Provides that these provisions apply retroactively to cases in which adjudicated juvenile delinquents registered or were required to register before the effective date of the amendatory Act. Provides that within 90 days after the effective date of the amendatory Act, the clerk's office shall send notice to registrants affected by these provisions notifying them of a registration status hearing. Provides that these provisions do not apply to minors prosecuted under the criminal laws as adults. Effective immediately.

Senate Committee Amendment No. 1

Provides that the court shall determine at the sentencing hearing (rather than may determine) whether to order registration of an adjudicated juvenile delinquent who committed a sex offense, and if so the duration of the registration. Provides that the court may, upon a hearing on the petition for continuation of registration, extend registration and determine which, if any, conditions of registration shall apply if the court finds that the registrant poses a serious risk to the community by clear and convincing evidence based on certain factors. Provides that on or after the effective date of the amendatory Act, the adjudicated juvenile delinquent may request a hearing regarding status of registration by filing a Petition Requesting Registration Status with the clerk of the court. Provides that upon receipt of the Petition Requesting Registration Status, the clerk of the court shall provide notice to the parties and set the Petition for hearing.

Senate Floor Amendment No. 2

Changes the standard of proof that the court must use in determining whether to continue registration of the juvenile sex offender and the conditions of registration based upon the serious risk that the juvenile sex offender poses to the community from clear and convincing evidence to a preponderance of the evidence. Also, clarifies that the retroactive provisions apply to those adjudicated before the effective date of the amendatory Act.

Jul 03 06 H Governor Vetoes

Page: 010

HB 02151 Rep. Kurt M. Granberg
(Sen. Gary Forby-John O. Jones and Ira I. Silverstein)

735 ILCS 5/2-201 from Ch. 110, par. 2-201

Amends the Code of Civil Procedure. Makes a technical change in a Section concerning commencement of actions and forms of process.

House Amendment No. 2

Adds the word "minutes" to a legal description in House Amendment 1.

House Amendment No. 3

Deletes reference to:

735 ILCS 5/2-201

Adds reference to:

735 ILCS 5/7-103.113 new

Deletes everything. Amends the Code of Civil Procedure. Grants the City of Mt. Vernon quick-take authority for the purpose of roadway extension. Effective immediately.

Jun 22 06 H Public Act 94-0898

HB 02497 Rep. Jim Sacia-John J. Millner-Rich Brauer-Elaine Nekritz-Karen May and Richard T. Bradley
(Sen. Susan Garrett-Christine Radogno)

625 ILCS 5/12-602.1 new

Amends the Illinois Vehicle Code. Provides that counties are authorized to post signs that prohibit the driver of a commercial vehicle from operating or actuating any engine braking system that emits excessive noise. Prescribes the content of the sign. Provides that the Department of Transportation shall adopt rules providing for the erection and placement of these signs. Provides that the provision does not apply to the use of an engine braking system that has an adequate sound muffling system in proper working order that prevents excessive noise. Provides that it is a defense that the driver used the engine braking system in an emergency to avoid a collision with a person or another vehicle. Provides that a violation of the provision is an equipment violation punishable by a fine of \$75.

House Amendment No. 1

Provides that municipalities also may post these signs.

May 12 06 H Public Act 94-0756

HB 02706 Rep. Gary Hannig
(Sen. Don Harmon)

35 ILCS 130/21 from Ch. 120, par. 453.21
35 ILCS 135/26 from Ch. 120, par. 453.56
35 ILCS 135/27 from Ch. 120, par. 453.57
35 ILCS 143/10-58

Amends the Cigarette Tax Act, the Cigarette Use Tax Act, and the Tobacco Products Tax Act of 1995. Provides that the Department of Revenue may destroy, maintain and use in an undercover capacity, or sell any forfeited original packages of cigarettes or any forfeited cigarette vending devices (now, the Department must sell the property). Effective immediately.

House Amendment No. 1

Adds reference to:

20 ILCS 1605/3 from Ch. 120, par. 1153

Adds reference to:

20 ILCS 1605/4 from Ch. 120, par. 1154

Adds reference to:

20 ILCS 1605/5 from Ch. 120, par. 1155

Adds reference to:

20 ILCS 1605/7.1 from Ch. 120, par. 1157.1

Adds reference to:

20 ILCS 1605/7.2 from Ch. 120, par. 1157.2

Adds reference to:

20 ILCS 1605/7.6 from Ch. 120, par. 1157.6

Adds reference to:

20 ILCS 1605/7.11 from Ch. 120, par. 1157.11

Adds reference to:

20 ILCS 1605/9 from Ch. 120, par. 1159

Adds reference to:

20 ILCS 1605/10 from Ch. 120, par. 1160

Adds reference to:

20 ILCS 1605/10.1 from Ch. 120, par. 1160.1

Adds reference to:

20 ILCS 1605/10.1a from Ch. 120, par. 1160.1a

Adds reference to:

20 ILCS 1605/10.2 from Ch. 120, par. 1160.2

Adds reference to:

20 ILCS 1605/10.6 from Ch. 120, par. 1160.6

Adds reference to:

20 ILCS 1605/10.7

Adds reference to:

20 ILCS 1605/12 from Ch. 120, par. 1162

Adds reference to:

20 ILCS 1605/13 from Ch. 120, par. 1163

Adds reference to:

20 ILCS 1605/14 from Ch. 120, par. 1164

Adds reference to:

20 ILCS 1605/14.3

Adds reference to:

20 ILCS 1605/15 from Ch. 120, par. 1165

Adds reference to:

HB 02706 (CONTINUED)

20 ILCS 1605/19	from Ch. 120, par. 1169
Adds reference to:	
20 ILCS 1605/21	from Ch. 120, par. 1171
Adds reference to:	
20 ILCS 1605/24	from Ch. 120, par. 1174
Adds reference to:	
35 ILCS 5/704	from Ch. 120, par. 7-704
Adds reference to:	
35 ILCS 5/902	from Ch. 120, par. 9-902
Adds reference to:	
35 ILCS 120/5j	from Ch. 120, par. 444j
Adds reference to:	
35 ILCS 130/21	from Ch. 120, par. 453.21
Adds reference to:	
35 ILCS 135/26	from Ch. 120, par. 453.56
Adds reference to:	
35 ILCS 135/27	from Ch. 120, par. 453.57
Adds reference to:	
35 ILCS 143/10-58	
Adds reference to:	
70 ILCS 3610/5.01	from Ch. 111 2/3, par. 355.01

Deletes everything after the enacting clause. Amends the Illinois Lottery Law. Makes various changes to conform with the transfer of all powers, duties, rights, and responsibilities vested in the Department of the Lottery to the Department of Revenue in accordance with Executive Order No. 9 (2003). Amends the Illinois Income Tax Act and the Retailers' Occupation Tax Act. Provides that certain employers must make an annual return concerning tax withholding only if required by a rule of the Department of Revenue. Requires the purchaser or transferee of certain business assets to file a notice of the sale or transfer of those assets with the Department of Revenue within 10 business days (now, 10 days) of the sale or transfer and authorizes the purchaser or transferee to notify the Department of the sale or transfer of those assets at least 10 business days (now, 10 days) before the intended sale or transfer. Requires that any order issued by the Department to withhold from the purchase price shall be issued within 10 business days (now, 10 days) after the Department receives the notice. Requires the Department to provide written notice of the actual amount of taxes, penalties, and interest due and whether additional amounts may become due within 60 business days (now, 60 days) after the issuance of the initial order. Makes corresponding changes. Amends the Cigarette Tax Act, the Cigarette Use Tax Act, and the Tobacco Products Tax Act of 1995. Provides that the Department of Revenue may destroy, maintain and use in an undercover capacity, or sell any forfeited original packages of cigarettes or any forfeited cigarette vending devices (now, the Department must sell the property). Amends the Local Mass Transit District Act. Provides that, after July 1, 2004, if the voters have approved a referendum to increase the tax rate, the Metro East Mass Transit District Board of Trustees may adopt by a majority vote an ordinance that excludes tangible personal property that is titled or registered with a State agency from an approved tax rate increase and establishes requirements for the administration and enforcement of the rate increase. Prohibits the Board from reimposing a previously excluded tax rate increase. Makes corresponding changes. Deletes provisions (i) requiring the Board to forward a copy of certain fee ordinances to the Secretary of State; (ii) authorizing the Board to impose a penalty against a retailer that fails to pay applicable fees within 30 days of the date of the transaction; and (iii) authorizing the Board to impose a replacement vehicle tax. Effective immediately.

House Amendment No. 2

Adds reference to:

20 ILCS 2505/2505-210	was 20 ILCS 2505/39c-1
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Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. In a Section requiring taxpayers with a certain annual tax liability to make payments by electronic funds transfer, sets forth that a provision exempting tax liability under the Motor Fuel Tax Law and the Environmental Impact Fee Law from the definition of "annual tax liability" shall only continue through December 31, 2005.

House Amendment No. 5

Deletes reference to:

20 ILCS 1605/7.2

Deletes reference to:

HB 02706 (CONTINUED)

20 ILCS 1605/15

Deletes reference to:

35 ILCS 5/704

In the Illinois Lottery Law, deletes the changes made to a Section concerning rules and regulations and made to a Section concerning purchases of lottery tickets by minors. In the Illinois Income Tax Act, deletes the changes made to a Section concerning employers' returns and payment of taxes withheld.

Senate Committee Amendment No. 1

Adds reference to:

35 ILCS 5/203

from Ch. 120, par. 2-203

Further amends the Illinois Income Tax Act. Sets forth procedures for calculating the deduction for the depreciation of property for which a bonus depreciation deduction was taken from the taxpayer's federal adjusted gross income. Makes technical changes to cross references.

Senate Committee Amendment No. 2

Deletes reference to:

20 ILCS 2505/2505-210

Deletes the changes made to a provision in a Section requiring payments by electronic funds transfer, that the exemption of tax liability under the Motor Fuel Tax Law and the Environmental Impact Fee Law from the definition of "annual tax liability" shall continue only through December 31, 2005.

Senate Floor Amendment No. 3

Further amends the Illinois Income Tax Act. Sets forth additional modifications to base income concerning the treatment of federal bonus depreciation deductions.

May 19 06 H Public Act 94-0776

HB 02734 Rep. Roger L. Eddy-Jim Watson-William B. Black-Kevin A. McCarthy-Suzanne Bassi
(Sen. Dale A. Righter, Cheryl Axley and Pamela J. Althoff)

745 ILCS 65/1

from Ch. 70, par. 31

Amends the Recreational Use of Land and Water Areas Act. Makes a technical change in a Section concerning the short title and purpose of the Act.

House Amendment No. 1

Deletes reference to:

745 ILCS 65/1

Adds reference to:

715 ILCS 15/1

from Ch. 100, par. 11

Deletes everything after the enacting clause. Amends the Legal Advertising Rate Act. Provides that the minimum (at present, "minimum reasonable") rate shall be 20 cents per column line for each insertion of a document by an official body or board in a newspaper. Provides that the maximum rate for each insertion of a document by a public body or board in a newspaper shall not exceed the newspaper's annually published rate for comparable local advertising space.

Jun 16 06 H Public Act 94-0874

HB 02946 Rep. Jerry L. Mitchell
(Sen. William R. Haine-Don Harmon and Todd Sieben-William E. Peterson)

720 ILCS 5/11-16 from Ch. 38, par. 11-16

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the offense of pandering.

House Amendment No. 2

Deletes reference to:

720 ILCS 5/11-16

Adds reference to:

720 ILCS 5/12-36 new

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Provides that it is unlawful for a person convicted of a forcible felony, a felony violation of the Humane Care for Animals Act, a felony violation of Article 24 of the Criminal Code of 1961, a felony violation of the Illinois Controlled Substances Act, or a felony violation of the Cannabis Control Act to knowingly own, possess, have custody of, or reside in a residence with: (1) an unsterilized dog or puppy older than 12 weeks of age or (2) an adult dog weighing more than 30 pounds. Provides that any dog owned, possessed by, or in the custody of such a person convicted of a felony must be microchipped for permanent identification. Provides that a violation is a Class A misdemeanor. Exempts felons who owned, possessed, or had custody of the dog before the commission of the felony, but these felons must have the dog microchipped for permanent identification and must have the dog sterilized.

House Amendment No. 3 (Tabled 4/13/2005)

Changes references in the bill from "unsterilized" and "sterilized" to "unspayed or unneutered" and "spayed or neutered".

Deletes provision that prohibits a felon from knowingly owning, possessing, having custody of, or residing in a residence with an adult dog weighing more than 30 pounds.

House Amendment No. 4

Changes references in the bill from "unsterilized" to "unspayed or unneutered". Deletes provision that prohibits a felon from knowingly owning, possessing, having custody of, or residing in a residence with an adult dog weighing more than 30 pounds. Deletes provision that permits a felon who owned, possessed, or had custody of a prohibited dog before the commission of the felony to continue to own, possess, or have custody of that dog.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Reinserts the provisions of the bill with these changes: (1) limits the prohibition on knowingly owning, possessing, having custody of, or residing in a residence with the unspayed or unneutered dog or puppy older than 12 weeks of age to 10 years after the felon has been released from incarceration; (2) provides that the prohibition applies to persons convicted of a Class 3 or higher felony violation of the Illinois Controlled Substances Act, a Class 3 or higher felony violation of the Cannabis Control Act, or a Class 2 or higher felony violation of the Methamphetamine Control and Community Protection Act (rather than any felony violations of those Acts); (3) extends the prohibition to any dog that has been determined to be vicious under the Animal Control Act; (4) provides that, except for vicious dogs, it is an affirmative defense to prosecution that the dog in question is neutered or spayed, or that the dog in question was neutered or spayed within 7 days of the defendant being charged with a violation of these provisions.

May 31 06 H Public Act 94-0818

Page: 015

HB 03126 Rep. Randall M. Hultgren
(Sen. John J. Cullerton)

625 ILCS 5/11-902 from Ch. 95 1/2, par. 11-902

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning yielding the right of way.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/11-902

Adds reference to:

625 ILCS 7/10

Adds reference to:

625 ILCS 7/30

Deletes everything after the enacting clause. Amends the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act. Provides that, in any prosecution based upon evidence obtained through an automated traffic control system, the State must prove that one or more workers were present in the construction or maintenance zone when the violation occurred. Provides that a Uniform Traffic Citation mailed to the owner of a vehicle that has allegedly violated the Act must be sent via certified mail within 14 (rather than 6) business days of the alleged violation.

Senate Floor Amendment No. 1

Adds an immediate effective date. Also corrects a spelling error.

May 12 06 H Public Act 94-0757

HB 03183 Rep. Brent Hassert
(Sen. James A. DeLeo-Louis S. Viverito-Pamela J. Althoff)

55 ILCS 5/1-1001 from Ch. 34, par. 1-1001

Amends the Counties Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

55 ILCS 5/1-1001

Adds reference to:

55 ILCS 5/5-12001.1

Deletes everything. Amends the Counties Code. Provides that a county's zoning authority concerning a telecommunications carrier's facilities includes AM broadcast towers and facilities. Provides that AM broadcast towers and facilities are not subject to a subsection that applies only to counties with 180,000 inhabitants or more. Effective immediately.

Apr 06 06 H Public Act 94-0728

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 03650 Rep. Constance A. Howard-Milton Patterson-Ruth Munson-Marlow H. Colvin-Karen A. Yarbrough, Monique D. Davis, Sara Feigenholtz, Calvin L. Giles, Robert Rita and Julie Hamos
(Sen. Don Harmon-Kwame Raoul-Miguel del Valle-Kirk W. Dillard-Donne E. Trotter, Jacqueline Y. Collins, Mattie Hunter and Martin A. Sandoval)

New Act

Creates the Integrated Telecommunications Outreach, Quality of Service, and Digital Literacy Act. Requires the Department of Commerce and Economic Opportunity to: (i) establish a telecommunications outreach program in consultation with the Illinois Commerce Commission and (ii) establish a Quality of Service Data Sharing program in cooperation with the Illinois Commerce Commission and the Attorney General. Requires the Department of Commerce and Economic Opportunity, in cooperation with various State agencies and other entities, to establish an Eliminate the Digital Divide Trust Program.

House Amendment No. 1

Deletes everything. Creates the Integrated Telecommunications Outreach, Outcomes Planning, and Digital Literacy Act. Requires the Department of Commerce and Economic Opportunity to: (i) establish a telecommunications outreach program in consultation with the Illinois Commerce Commission and (ii) establish a Telecommunications Service Outcomes, Data Sharing, and Local Planning program in cooperation with the Illinois Commerce Commission and the Attorney General. Requires the Department of Commerce and Economic Opportunity, in cooperation with various State agencies and other entities, to establish an Eliminate the Digital Divide Community Trust Program.

State Mandates Fiscal Note (H-AM 1) (Department of Commerce and Economic Oppor)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 3650 (H-AM 1) does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 1) (Department of Commerce and Economic Oppor)

House Bill 3650 (H-AM 1) is estimated to have a fiscal impact of at least \$252,000 on the Department of Commerce and Economic Opportunity for a minimum of three (3) additional headcount and associated resources to administer the requirements of this legislation. The amount of headcount required could increase, depending upon the amount of grant funding provided by the General Assembly, which is unknown at this time. This fiscal note does not address the impact of this legislation on any other agency.

House Amendment No. 3

Deletes reference to:

New Act

Adds reference to:

30 ILCS 780/5-30

Deletes everything after the enacting clause. Amends the Eliminate the Digital Divide Law. Provides that the Director of Commerce and Economic Opportunity shall appoint 2 members to the Digital Divide Elimination Committee, one of whom shall represent the telecommunications industry and one of whom shall represent community technology centers. Creates the Digital Divide Elimination Working Group. Requires the Working Group to: (i) undertake a thorough review of certain grant programs in order to identify sources of revenue for the Digital Divide Elimination Fund; (ii) research and catalog various programs designed to advance digital literacy and computer access; and (iii) present the information compiled by the Working Group to the Department of Commerce and Economic Opportunity. Provides that the Department shall serve as a single point of contact for applying for funding from the Fund and for distributing information to the public about programs designed to advance digital literacy and computer access. Effective immediately.

Fiscal Note (H-AM 2) (Department of Commerce and Economic Oppor)

House Bill 3650 (H-AM 2) is estimated to have a fiscal impact of at least \$252,000 on the Department of Commerce and Economic Opportunity for a minimum of three (3) additional headcount and associated resources to administer the requirements of this legislation. The amount of headcount required could increase, depending upon the amount of grant funding provided by the General Assembly, which is unknown at this time. This fiscal note does not address the impact of this legislation on any other agency.

Fiscal Note (H-AM 3) (Department of Commerce and Economic Oppor)

The fiscal impact of House Bill 3650 (H-AM 3) on the Department of Commerce and Economic Opportunity is estimated to be minimal, and can be absorbed within the Department's current budget.

Senate Floor Amendment No. 1

Adds reference to:

30 ILCS 780/5-45

HB 03650 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill but makes the following changes. Further amends the Eliminate the Digital Divide Law. Specifies additional purposes of Community Technology Center grants. Deletes a provision concerning the total amount of certain grants authorized to be awarded in fiscal year 2001 under the Community Technology Center Grant Program. Provides that no Community Technology Center may receive a grant of more than \$75,000 (rather, than \$50,000) in any fiscal year. Provides that grant applications shall be submitted to the Department of Commerce and Economic Opportunity on a schedule of one or more deadlines established by the Department by rule (now, the grant applications must be submitted not later than March 15 for the next fiscal year). Provides that, subject to appropriation, the Department may expend not more than \$100,000 in fiscal year 2006 and each fiscal year thereafter to establish and administer a Statewide Community Technology Center Network to assist in local and regional planning and revenue development and outreach. Effective immediately.

Apr 28 06 H Public Act 94-0734

HB 04079 Rep. Mike Boland-Donald L. Moffitt-Patrick J Verschoore-Jack McGuire-Monique D. Davis

(Sen. William R. Haine-John O. Jones)

5 ILCS 375/2 from Ch. 127, par. 522

5 ILCS 375/3 from Ch. 127, par. 523

5 ILCS 375/10 from Ch. 127, par. 530

5 ILCS 375/15 from Ch. 127, par. 535

Amends the State Employees Group Insurance Act of 1971. Authorizes child advocacy centers to provide their employees and annuitants, and their dependents, with group health coverage under the Act on a non-insured basis. Provides for the establishment and collection of premiums. Effective immediately.

Fiscal Note (Department of Children & Family Services)

House Bill 4079 does not have any fiscal impact on the Department.

State Mandates Fiscal Note (Department of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, HB 4079 does not create a State mandate under the State Mandates Act.

Jun 16 06 H Public Act 94-0860

HB 04121 Rep. Daniel J. Burke-Lisa M. Dugan-Terry R. Parke-Paul D. Froehlich, Linda Chapa LaVia, Charles E. Jefferson, Careen M Gordon, Naomi D. Jakobsson, Brandon W. Phelps, Edward J. Acevedo, William Davis, David E. Miller, Maria Antonia Berrios, Michelle Chavez, Susana A Mendoza, Jack McGuire, Donald L. Moffitt, John E. Bradley and Eddie Washington

(Sen. Martin A. Sandoval-Kirk W. Dillard-Mattie Hunter-M. Maggie Crotty-Iris Y. Martinez, John M. Sullivan and Arthur J. Wilhelmi)

720 ILCS 5/17-2 from Ch. 38, par. 17-2

Amends the Criminal Code of 1961 relating to false personation. Provides that it is unlawful for a person to falsely represent himself or herself as a Purple Heart recipient or to wear a Purple Heart medal that was not awarded to that person by the United States government. Provides that a violation is a petty offense for which the offender shall be fined at least \$100 but not exceeding \$200.

Senate Committee Amendment No. 1

Also includes in the offense of false personation that a person falsely represents himself or herself as a recipient of any of the following medals or wears such a medal if it was not awarded to the person: the Congressional Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, the Silver Star, or the Bronze Star. Provides that it is a defense that the medal is used, or is intended to be used, exclusively for a dramatic presentation or a historical re-enactment, or for a costume worn, or intended to be worn, by a person under 18 years of age.

May 11 06 H Public Act 94-0755

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04125 Rep. Mary E. Flowers-Lee A. Daniels-Patricia R. Bellock-Roger Jenisch-John D'Amico, Donald L. Moffitt, Jerry L. Mitchell, Robert W. Pritchard, Sara Feigenholtz, Elaine Nekritz, Paul D. Froehlich, David R. Leitch, Lou Lang, Linda Chapa LaVia, Edward J. Acevedo, Bob Biggins, Kathleen A. Ryg, Naomi D. Jakobsson, Karen May, Michelle Chavez, Maria Antonia Berrios, Charles E. Jefferson, Deborah L. Graham, Jack McGuire, Mike Boland, Kevin Joyce, James D. Brosnahan, Cynthia Soto, William Delgado, Robert Rita, Susana A Mendoza, Sidney H. Mathias and Kurt M. Granberg

(Sen. Susan Garrett, Dan Rutherford, John J. Cullerton-John J. Millner, Ira I. Silverstein, Edward D. Maloney-Terry Link, M. Maggie Crotty, James F. Clayborne, Jr., Don Harmon, Jacqueline Y. Collins-Carol Ronen-Dan Cronin, Kirk W. Dillard, Carole Pankau, Mattie Hunter, Iris Y. Martinez, Jeffrey M. Schoenberg, Peter J. Roskam and James T. Meeks)

5 ILCS 375/6.11

55 ILCS 5/5-1069.3

65 ILCS 5/10-4-2.3

105 ILCS 5/10-22.3f

215 ILCS 5/356z.7 new

215 ILCS 5/370c from Ch. 73, par. 982c

215 ILCS 125/5-3 from Ch. 111 1/2, par. 1411.2

215 ILCS 165/10 from Ch. 32, par. 604

305 ILCS 5/5-16.8

Amends the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, the School Code, the Illinois Insurance Code, the Health Maintenance Organization Act, the Voluntary Health Services Plans Act, and the Illinois Public Aid Code to require coverage for the treatment of pervasive developmental disorders. Amends the Illinois Insurance Code to provide that certain mental health coverages apply to health maintenance organizations and individual policies of accident and health insurance. Effective immediately.

Fiscal Note (Department of Human Services)

No fiscal impact.

House Amendment No. 2

Deletes reference to:

5 ILCS 375/6.11

Deletes reference to:

55 ILCS 5/5-1069.3

Deletes reference to:

65 ILCS 5/10-4-2.3

Deletes reference to:

105 ILCS 5/10-22.3f

Deletes reference to:

215 ILCS 5/356z.7 new

Deletes reference to:

215 ILCS 165/10

Deletes reference to:

305 ILCS 5/5-16.8

Deletes everything after the enacting clause. Amends the Illinois Insurance Code. Provides that a group health benefit plan shall provide coverage for 20 additional outpatient visits for speech therapy for treatment of pervasive developmental disorders that will be in addition to speech therapy provided pursuant to other outpatient treatment coverage required by the Section. Amends the Health Maintenance Organization Act to subject health maintenance organizations to the provisions of a Section of the Illinois Insurance Code concerning mental and emotional disorders.

HB 04127 Rep. Jerry L. Mitchell-Jim Sacia and Robert W. Pritchard
(Sen. Todd Sieben)

Authorizes the Oregon Park District to convey specified land to Rock River Center, a not-for-profit corporation, for use in projects to fulfill Rock River Center's corporate purposes, subject to conditions regarding the use of the land. Effective immediately.

Jun 23 06 H Public Act 94-0907

HB 04134 Rep. Sara Feigenholtz-Paul D. Froehlich-Sidney H. Mathias, Robin Kelly, Edward J. Acevedo, Karen May, Linda Chapa LaVia, Lou Lang, William Davis, Milton Patterson, Larry McKeon, Harry Osterman, Elizabeth Coulson, David E. Miller, Michelle Chavez, Maria Antonia Berrios, Charles E. Jefferson, Esther Golar, John D'Amico, Gary Hannig, Karen A. Yarbrough, Annazette Collins, Cynthia Soto, William Delgado, Daniel J. Burke and Susana A Mendoza
(Sen. John J. Cullerton, Cheryl Axley-Jacqueline Y. Collins-Edward D. Maloney and Ira I. Silverstein)

740 ILCS 45/2 from Ch. 70, par. 72

Amends the Crime Victims Compensation Act. Includes hate crime in the definition of "crime of violence". In the definition of "victim", includes the parent of a person (rather than the parent of a child) killed or injured as a result of a crime of violence. Includes the following in the definition of "pecuniary loss": (i) the loss of tuition paid to attend school when the victim had been enrolled as a student (rather than as a full-time student); and (ii) transportation expenses to and from medical and treatment facilities. Changes the definition of "dependents replacement services loss" so that it applies to loss reasonably incurred by private legal guardians of a minor dependent (in addition to loss reasonably incurred by dependents) after a victim's death under specified circumstances. Changes the definition of "replacement services loss" so that it applies to expenses reasonably incurred in obtaining ordinary and necessary services that would have been performed by an injured person (rather than a permanently injured person) under specified circumstances.

Jun 19 06 H Public Act 94-0877

HB 04135 Rep. Naomi D. Jakobsson-Mary E. Flowers-William B. Black, John A. Fritchey, Robin Kelly, William Davis, Milton Patterson, Jack D. Franks and Linda Chapa LaVia
(Sen. Richard J. Winkel, Jr.-Iris Y. Martinez-Dale A. Righter)

20 ILCS 505/5c

225 ILCS 10/5.1 from Ch. 23, par. 2215.1

Amends the Children and Family Services Act and the Child Care Act of 1969. In provisions concerning licensure of direct child welfare service employees by DCFS: provides that if a direct child welfare service employee licensee is expected to transport a child or children with a motor vehicle in the course of performing his or her duties, DCFS must verify that the licensee holds a valid driver's license and meets certain other requirements; requires such verification every 2 years; and provides that transporting a child or children with a motor vehicle without having a valid driver's license is grounds for revoking an individual's direct child welfare service employee license. In provisions concerning transportation of children on a regular basis by a day care center, group home, or child care institution: provides that DCFS must verify that individuals who provide such transportation meet driver's license and other statutory requirements; provides that a day care center, group home, or child care institution that fails to meet the statutory requirements is guilty of a petty offense and subject to a fine of \$1,000; and provides that each day of such a violation is a separate offense.

Fiscal Note (Dept of Children and Family Services)

It is anticipated that a fiscal impact of approximately \$110,000 per year will result from the legislation.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause and reinserts provisions substantially similar to those of the engrossed bill, amending the Children and Family Services Act and the Child Care Act of 1969, but with changes that include the following: (1) makes the driver requirement verification provisions applicable only to employees at group homes and child care institutions (omits employees at day care centers); (2) provides that for every individual employed at a group home or child care institution who regularly transports children in the course of performing his or her duties, the Department of Children and Family Services must verify that the individual meets the specified requirements every 2 years; (3) requires the Secretary of State to provide the Department with the information necessary to enable the Department to make those verifications; and (4) makes the amendatory provisions concerning driver requirement verifications and penalties applicable only to group homes and child care institutions (deleting references to day care centers).

Jun 27 06 H Public Act 94-0943

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04147 Rep. Robert F. Flider-Bill Mitchell-Gary Hannig-Rich Brauer-Jim Watson
 (Sen. Deanna Demuzio-Larry K. Bomke)

New Act

Creates the Central Illinois Economic Development Authority Act. Creates the Central Illinois Economic Development Authority in Macon, Sangamon, Menard, Logan, Christian, Bond, DeWitt, and Montgomery Counties in order to promote economic development within those counties. Contains provisions concerning the powers and duties of the Authority. Allows the Authority to acquire, own, sell, lease, or otherwise dispose of interests in real property and to issue bonds, notes, or other evidences of indebtedness for certain purposes in an aggregate amount not to exceed \$250,000,000. Provides that the Authority shall be governed by an 11-member board. Contains other provisions. Effective immediately.

House Amendment No. 1

Provides that notes and bonds issued by the Central Illinois Economic Development Authority and the income from those notes and bonds may be subject to estate, transfer, and inheritance taxes.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill that creates the Central Illinois Economic Development Authority Act with changes. In the findings, the lack of affordable housing also leads to the disconnection of younger generations from their elderly relations. With respect to the territorial jurisdiction, deletes Bond County and adds Macoupin, Calhoun, Greene, and Jersey Counties. Makes corresponding changes. Updates references. Effective immediately.

Jul 03 06 H Public Act 94-0995

HB 04172 Rep. Karen A. Yarbrough-Marlow H. Colvin-David E. Miller-Cynthia Soto-Kenneth Dunkin, Deborah L. Graham, Robin Kelly, Patricia R. Bellock, Eddie Washington, Paul D. Froehlich, Sidney H. Mathias, Julie Hamos, Elaine Nekritz, Angelo Saviano, Robert Rita, Charles E. Jefferson, Careen M Gordon, Lisa M. Dugan, Wyvetter H. Younge, Michelle Chavez, Calvin L. Giles, Richard T. Bradley, Karen May, Lovana Jones, Jack D. Franks, Linda Chapa LaVia, Barbara Flynn Currie, John A. Fritchey, Maria Antonia Berrios, Brandon W. Phelps, Bob Biggins, Patricia Reid Lindner, Mary E. Flowers, Annazette Collins, Jack McGuire, Monique D. Davis, Constance A. Howard, Esther Golar, William Davis, Daniel J. Burke, Arthur L. Turner, Edward J. Acevedo, Naomi D. Jakobsson, Kevin A. McCarthy, Michael K. Smith, Mike Boland, John E. Bradley, Patrick J Verschoore, James H. Meyer and Jim Durkin
 (Sen. Mattie Hunter-Rickey R. Hendon)

815 ILCS 505/2XX new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for a person to advertise or conduct a live musical performance or production in this State through the use of a false, deceptive, or misleading affiliation, connection, or association between the performing group and the recording group. Provides a list of exceptions to the unlawful practice.

Jun 14 06 H Public Act 94-0854

HB 04179 Rep. JoAnn D. Osmond-Ruth Munson-Mark H. Beaubien, Jr.-Sidney H. Mathias-Sandra M. Pihos, Patricia R. Bellock, James H. Meyer, Donald L. Moffitt, Jack D. Franks, Linda Chapa LaVia, Patricia Reid Lindner, Jim Durkin, Edward J. Acevedo, Deborah L. Graham, Michelle Chavez, Charles E. Jefferson, Elizabeth Coulson, Esther Golar, John D'Amico, Susana A Mendoza, Cynthia Soto, Daniel J. Burke and William Delgado
 (Sen. William E. Peterson and Ira I. Silverstein)

735 ILCS 5/21-101 from Ch. 110, par. 21-101

Amends the Code of Civil Procedure. Provides that a person who is convicted of identity theft, aggravated identity theft, felony or misdemeanor criminal sexual abuse when the victim of the offense at the time of its commission is under 18 years of age, felony or misdemeanor sexual exploitation of a child, felony or misdemeanor indecent solicitation of a child, felony or misdemeanor indecent solicitation of an adult, or any other offense for which a person is required to register under the Sex Offender Registration Act in this State or any other state who has not been pardoned shall not be permitted to file a petition for a name change in the courts of Illinois.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the updated base of the bill.

Jun 27 06 H Public Act 94-0944

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04186 Rep. Sara Feigenholtz-Paul D. Froehlich-Barbara Flynn Currie-Keith P. Sommer-Naomi D. Jakobsson, Patricia Reid
 Lindner and Monique D. Davis
 (Sen. John J. Cullerton)

20 ILCS 505/5	from Ch. 23, par. 5005
20 ILCS 505/35.1	from Ch. 23, par. 5035.1
20 ILCS 520/1-15	
225 ILCS 10/7.4	
225 ILCS 10/8	from Ch. 23, par. 2218
225 ILCS 10/15	from Ch. 23, par. 2225
325 ILCS 5/11.1	from Ch. 23, par. 2061.1
740 ILCS 110/11	from Ch. 91 1/2, par. 811

Amends the Children and Family Services Act, the Foster Parent Law, the Child Care Act of 1969, the Abused and Neglected Child Reporting Act, and the Mental Health and Developmental Disabilities Confidentiality Act. Provides that DCFS must provide certain information concerning a child, including known social and behavioral information, to prospective adoptive parents (in addition to caretakers of children in foster homes, group homes, child care institutions, or relative homes). Provides that whenever a licensed child welfare agency places a child in a licensed foster family home, the agency shall provide that same information to the child's caretaker. Provides that a foster parent's rights include the right to be given such information. Provides that "juvenile authorities" to whom DCFS may disclose information include individuals and agencies having custody of a child pursuant to placement of the child by the Department; and provides that nothing in the Child Care Act of 1969 prevents the disclosure of information or records by a licensed child welfare agency as required by this amendatory Act. Provides that DCFS may revoke or refuse to renew a child welfare agency's license for failure to comply with the disclosure requirements of this amendatory Act. Permits a prospective adoptive parent or foster parent to have access to records concerning reports of child abuse and neglect. Authorizes the disclosure of records under the Mental Health and Developmental Disabilities Confidentiality Act. Effective immediately.

Fiscal Note (Dept of Children and Family Services)

It is anticipated that no fiscal impact to the Department will result from this legislation.

House Amendment No. 1

Adds reference to:

20 ILCS 505/5.30 new

Adds reference to:

20 ILCS 505/7.5 new

Adds reference to:

750 ILCS 50/18.3a from Ch. 40, par. 1522.3a

Replaces everything after the enacting clause. Amends the Children and Family Services Act. Provides that whenever the Department of Children and Family Services (DCFS) places a child with a prospective adoptive parent or parents, the Department must provide to the prospective adoptive parent or parents the same information that it provides to a foster home, group home, or other caretaker when placing a child. Provides that such information must be provided in writing; requires DCFS to obtain a signed verification of the receipt of the information, and requires provision of a copy of the information to the child's guardian ad litem. Provides that not later than July 1, 2007, DCFS shall adopt a rule regarding the provision of specialized care to a child in the custody or guardianship of the Department and to certain other children who require such services due to emotional, behavioral, developmental, or medical needs, or any other needs that require special intervention services, the primary goal being to maintain the child in care or in a permanency setting. Requires DCFS to provide to all adoptive parents of children receiving monthly adoption assistance a notice that includes a description of the Department's post-adoption reunion services and an explanation of how to access those services. Reinserts provisions substantially similar to those of House Bill 4186 amending the Foster Parent Law, the Child Care Act of 1969, the Abused and Neglected Child Reporting Act, and the Mental Health and Developmental Disabilities Confidentiality Act. Amends the Adoption Act; provides for imposition of a civil monetary penalty against an adoption agency that does not comply with a request for information from a confidential intermediary, with the amount of any such penalty to be deposited into the DCFS Children's Services Fund. Makes other changes. Effective October 1, 2006.

House Amendment No. 2

Adds reference to:

20 ILCS 505/25 from Ch. 23, par. 5025

Adds reference to:

750 ILCS 50/12.1

HB 04186 (CONTINUED)

Further amends the Children and Family Services Act and the Adoption Act; requires the Department of Children and Family Services (DCFS) to deposit Putative Father Registry fees into a distinct fund for the Department's use in maintaining the Registry. Deletes a requirement that DCFS monitor specialized care provided to a child and review the child's plan of care "at least annually". Provides that no payments to caregivers (instead of simply "no payments") in effect for the specialized treatment or care of a child shall be reduced under the criteria, standards, and procedures adopted in connection with the provisions concerning specialized care.

Senate Committee Amendment No. 1

In provisions amending the Children and Family Services Act concerning specialized care for children including those in the custody or guardianship of the Department of Children and Family Services: (1) deletes a provision requiring the Director of Children and Family Services to appoint a multidisciplinary advisory committee; and (2) deletes provisions concerning the adoption of an emergency rule.

Senate Floor Amendment No. 2

In provisions amending the Children and Family Services Act with respect to a notice of post-adoption reunion services, deletes an amendatory reference to former wards of the Department of Children and Family Services. Also provides that the Department shall provide the notice to wards of the Department within 30 days after their 18th birthday (instead of at the time of their emancipation from foster care). In provisions amending the Mental Health and Developmental Disabilities Confidentiality Act, deletes an amendatory provision allowing disclosure of records and communications in accordance with certain standards adopted under the Health Insurance Portability and Accountability Act of 1996.

Jul 07 06 H Public Act 94-1010

HB 04192 Rep. Robin Kelly-Kevin A. McCarthy
(Sen. M. Maggie Crotty)

70 ILCS 2605/301 new

Amends the Metropolitan Water Reclamation District Act. Enlarges the Metropolitan Water Reclamation District.

May 19 06 H Public Act 94-0777

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04193 Rep. John A. Fritchey-Marlow H. Colvin-David E. Miller-Paul D. Froehlich-William Delgado, Robin Kelly, Edward J. Acevedo, Linda Chapa LaVia, Deborah L. Graham, Michelle Chavez, Maria Antonia Berrios, Charles E. Jefferson, Milton Patterson, John D'Amico, Constance A. Howard, Lovana Jones, Annazette Collins, Esther Golar, Wyvetter H. Younge, William Davis, Arthur L. Turner, Kenneth Dunkin, Patrick J Verschoore, Jack McGuire, Kevin Joyce, Karen A. Yarbrough, Daniel J. Burke, Susana A Mendoza and Cynthia Soto
(Sen. Miguel del Valle-Don Harmon)

New Act

20 ILCS 2605/2605-35	was 20 ILCS 2605/55a-3
30 ILCS 105/5.663 new	
105 ILCS 5/10-21.9	from Ch. 122, par. 10-21.9
105 ILCS 5/34-18.5	from Ch. 122, par. 34-18.5
325 ILCS 40/6	from Ch. 23, par. 2256
730 ILCS 150/2	from Ch. 38, par. 222
730 ILCS 150/8	from Ch. 38, par. 228
730 ILCS 150/9	from Ch. 38, par. 229
730 ILCS 152/101	

Creates the Violent Offender Against Youth Registration Act. Provides for the registration of persons under the Act who were previously registered as sex offenders under the Sex Offender Registration Act for the offenses of kidnapping, aggravated kidnapping, unlawful restraint, aggravated unlawful restraint, first degree murder, child abduction, and forcible detention, or an attempt to commit certain of those offenses when those offenses were committed against persons under 18 years of age. Transfers information about those persons previously registered under the Sex Offender Registration Act for those offenses to the Violent Offender Against Youth Registration Act. Creates the Violent Offender Against Youth Registration Fund. Provides that the Fund shall receive deposits of registration fees from violent offenders against youth. Establishes various requirements for registration and provides penalties for those persons who violate registration requirements. Amends various Acts to make conforming changes.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill with these changes: (1) changes the name of the new Act to the Child Murderer and Violent Offender Against Youth Registration Act, changes the name of the database to the Statewide Child Murderer and Violent Offender Against Youth Database, and changes the name of the new Fund to the Child Murderer and Violent Offender Against Youth Registration Fund; (2) restores the offenses eliminated from the requirements for registration under the Sex Offender Registration Act but requires that the offenses must be sexually motivated; (3) establishes procedures for transfer from the sex offender registry of child murder and other violent offenses against youth that were not sexually motivated; and (4) restores the lifetime registration for child murderers under the Sex Offender Registration Act.

Senate Floor Amendment No. 1

Provides that the Department of State Police shall commence the duties prescribed in the Child Murderer and Violent Offender Against Youth Registration Act within 12 months after the effective date of that Act. Adds an immediate effective date to the bill.

Jun 27 06 H Public Act 94-0945

HB 04196 Rep. Keith P. Sommer-David R. Leitch-Aaron Schock
(Sen. Dale E. Risinger-George P. Shadid)

60 ILCS 1/85-50

Amends the Township Code. Deletes the sunset provision that limits, as of January 1, 2006, the authority of a township to formally request that the county board commence specified proceedings concerning demolition, repair, or enclosure of dangerous and unsafe or uncompleted and abandoned buildings that are located outside of any municipality but within the township and, if the county declines the request, that the township may commence such proceedings. Effective immediately.

Jun 07 06 H Public Act 94-0841

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04202 Rep. Lou Lang-Patricia R. Bellock-Mary E. Flowers-Karen A. Yarbrough-Deborah L. Graham, Naomi D. Jakobsson, Jack D. Franks, Sara Feigenholtz, Harry Osterman, Arthur L. Turner, Kenneth Dunkin, Lovana Jones, Elaine Nekritz, Annazette Collins, Calvin L. Giles, Constance A. Howard, Esther Golar, Larry McKeon, Elizabeth Coulson, Cynthia Soto, Kathleen A. Ryg and Eddie Washington
 (Sen. Emil Jones, Jr.-Jacqueline Y. Collins-Mattie Hunter-M. Maggie Crotty-Iris Y. Martinez, Jeffrey M. Schoenberg, Donne E. Trotter and Kimberly A. Lightford)

215 ILCS 5/370c from Ch. 73, par. 982c

Amends the Illinois Insurance Code. Provides that a group health benefit plan shall provide coverage for 60 (now 35) visits for outpatient treatment of mental illness. Effective immediately.

Fiscal Note (Illinois Department of Financial and Professional)

House Bill 4202 will not have a fiscal impact on the Illinois Department of Financial and Professional Regulation.

Jun 26 06 H Public Act 94-0921

HB 04217 Rep. Tom Cross-Kathleen A. Ryg-Brent Hassert-Sidney H. Mathias-Gary Hannig, Robin Kelly, Dave Winters and Jim Durkin
 (Sen. Louis S. Viverito-Susan Garrett, Todd Sieben-Pamela J. Althoff-J. Bradley Burzynski, Bill Brady, John J. Millner and M. Maggie Crotty)

75 ILCS 16/15-5

75 ILCS 16/15-15

Amends the Public Library District Act of 1991. Provides that the Sections in the Act that authorize the annexation of territory are each an independent authorization for the annexation of contiguous territory. Provides that a library district may annex territory by ordinance if that territory is located within the boundaries of a municipality or school district that is included within the district (now, the district may annex the territory if the municipality or school district has annexed or otherwise includes the territory within its boundaries). Deletes a provision that the annexation ordinance must recite the prior annexation or other inclusion of the territory by the municipality or school district. Provides that if, before the effective date of this amendatory Act, a district has annexed territory and that annexation complies with the statutory requirements, as changed by this amendatory Act, then, for all purposes, that annexation is validated, ratified, and declared to be in full force and effect from the date on which the district completed its annexation of the territory. Makes technical changes. Effective immediately.

Housing Affordability Impact Note (Housing Development Authority)

Increases the cost on a \$100,000 home by an estimated unknown amount.

Jun 22 06 H Public Act 94-0899

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04222 Rep. Jim Watson-Raymond Poe-Renee Kosel-Harry R. Ramey, Jr.-James H. Meyer, Ed Sullivan, Jr., Bill Mitchell, Ron Stephens, Jim Durkin, Patricia Reid Lindner, Roger L. Eddy, Roger Jenisch, Donald L. Moffitt, Mark H. Beaubien, Jr., Ronald A. Wait, Rich Brauer, Sidney H. Mathias, Terry R. Parke, Elizabeth Coulson, Jack D. Franks, Linda Chapa LaVia, Shane Cultra, Randall M. Hultgren and Aaron Schock
 (Sen. William R. Haine-Deanna Demuzio-Don Harmon-Jacqueline Y. Collins)

20 ILCS 2630/8	from Ch. 38, par. 206-8
730 ILCS 5/3-3-7	from Ch. 38, par. 1003-3-7
730 ILCS 5/5-6-3	from Ch. 38, par. 1005-6-3
730 ILCS 5/5-6-3.1	from Ch. 38, par. 1005-6-3.1
730 ILCS 5/5-8A-6 new	
730 ILCS 150/6	from Ch. 38, par. 226
730 ILCS 150/7	from Ch. 38, par. 227
730 ILCS 150/8-5	
730 ILCS 150/10	from Ch. 38, par. 230

Amends the Criminal Identification Act. Provides that the Department of State Police shall develop official information relating to the number of sexual offenders and sexual predators who are placed on supervision, probation, conditional discharge, parole, or mandatory supervised release and who are subject to electronic monitoring. Provides that the Criminal Justice Information Authority shall study the factors relating to the sentencing of sex offenders from the point of arrest through the imposition of sentencing by the sentencing court, including original charges, plea negotiations, trial dispositions, and sentences. Provides that the Department of Corrections, the Administrative Office of the Illinois Courts, the Department of State Police, and the State's Attorneys shall provide information deemed necessary for the study. Provides that the final report shall be presented by March 1, 2007. Amends the Unified Code of Corrections. Provides that a person convicted of or placed on supervision for a sex offense as defined in the Sex Offender Management Board Act must wear an approved electronic monitoring device for the duration of the person's parole, mandatory supervised release, probation, conditional discharge, or supervision term if the unlawful activity involved a victim who was under 16 years of age and the person convicted of the sex offense is 18 years of age or older or if the person convicted of the sex offense is a sexual predator. Amends the Sex Offender Registration Act. Provides that a sexual predator who has been lawfully released from confinement or who has completed his or her term of supervision, probation, conditional discharge, parole, or mandatory supervised release, whichever is later, for at least 40 years, and who has not been arrested for a felony or misdemeanor since release may petition the circuit court for the purpose of no longer being classified as a sexual predator. Provides that it is Class 4 felony for a person who has reason to believe that a sexual predator is not complying, or has not complied, with the Act and who, with the intent to assist the sexual predator in eluding a law enforcement agency that is seeking to find the sexual predator to question the sexual predator about, or to arrest the sexual predator for, his or her noncompliance with the Act to withhold information from the law enforcement agency about the sexual predator or to conceal his or her whereabouts or to provide false information to the law enforcement agency about the sexual predator.

Correctional Note (Dept of Corrections)

House Bill 4222 would result in an increase of 19 inmates with \$53,329,500 in additional costs over the first ten years after enactment.

Fiscal Note (Dept of Corrections)

House Bill 4222 would result in an increase of 19 inmates with \$53,329,500 in additional costs over the first ten years after enactment.

House Amendment No. 1

Deletes reference to:

730 ILCS 5/5-6-3

Deletes reference to:

730 ILCS 5/5-6-3.1

Deletes reference to:

730 ILCS 150/7

HB 04222 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Further amends the Criminal Identification Act. Removes language requiring the Illinois Criminal Justice Information Authority to study the factors relating to the sentencing of sex offenders from the point of arrest through the imposition of sentencing by the sentencing court and present a report to the General Assembly on their findings. Further amends the Unified Code of Corrections. Provides that for a sex predator subject to electronic home monitoring under the listed Section, the Department of Corrections must use a system that actively monitors and identifies the offender's current location and timely reports or records the offender's presence and that alerts the Department of the offender's presence within a prohibited area and the offender's departure from specified geographic limitations. Further amends the Sex Offender Registration Act to remove language changing the duration of registration. Makes it a Class 3 felony (instead of a Class 4 felony) for any person, not covered by privilege under the listed Article of the Code of Civil Procedure or the Illinois Supreme Court's Rules of Professional Conduct, who has reason to believe that a sexual predator is not complying, or has not complied, with the requirements of the Article and who, with the intent to assist the sexual predator in eluding a law enforcement agency that is seeking to find the sexual predator to question the sexual predator about, or to arrest the sexual predator for noncompliance with the requirements of the Article, does any of the listed actions. Makes other changes.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Further amends the Unified Code of Corrections. Provides that for a sex predator subject to electronic home monitoring under the listed Section, the Department of Corrections must use a system that actively monitors and identifies the offender's current location and timely reports or records the offender's presence and that alerts the Department of the offender's presence within a prohibited area and the offender's departure from specified geographic limitations, provided that funding is appropriated by the General Assembly for that purpose.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill, as amended by Senate Amendment No.1, with the following changes. In the amendatory changes to the Sex Offender Registration Act, provides that the new Class 3 felony provisions do not apply to a sexual predator in custody of a mental health facility or a State treatment and detention facility.

Senate Floor Amendment No. 3

Removes the changes made to the Section concerning the duty of a person who has been adjudicated to be sexually dangerous or is a sexually violent person to report to the appropriate law enforcement agency.

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04238 Rep. Mike Boland-Eddie Washington-Mark H. Beaubien, Jr.-Michael Tryon, Linda Chapa LaVia, Patricia R. Bellock, Joseph M. Lyons and Maria Antonia Berrios
 (Sen. Don Harmon-Dan Cronin-William E. Peterson and Edward D. Maloney-Pamela J. Althoff)

510 ILCS 5/26 from Ch. 8, par. 376

Amends the Animal Control Act. Provides that the owner of an intact dog is guilty of a Class 4 felony if the owner allows the dog to run at large in violation of the Act and the dog inflicts serious physical injury to a person.

House Amendment No. 1

Adds reference to:

510 ILCS 5/9.5 new

Exempts a police dog that inflicts serious physical injury to a person in the course of its duties. Further amends the Animal Control Act. Provides that a dog is not considered to be running at large if the dog (i) is engaged in legal hunting activities where those activities are permitted or is in a dog park or a dog-friendly area of a park and (ii) is monitored or supervised by a person.

House Amendment No. 2

Adds reference to:

55 ILCS 5/5-1071

from Ch. 34, par. 5-1071

Adds reference to:

730 ILCS 5/5-5-3.2

from Ch. 38, par. 1005-5-3.2

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended with the following additions:

Amends the Counties Code to eliminate a limitation on fines or penalties in excess of \$50 for dogs running at large. Amends the Animal Control Act to provide that if the owner of a dog knowingly allows it to run at large and the dog inflicts serious physical injury, as defined in the Act, or death to a person, the owner is guilty of a Class 4 felony. Amends the Unified Code of Corrections.

Authorizes imposition of an extended sentence when a defendant commits any felony and the defendant used, possessed, exercised control over, or otherwise directed an animal to assault a law enforcement officer engaged in the execution of his or her official duties or in furtherance of the criminal activities of an organized gang in which the defendant is engaged. Effective immediately.

House Amendment No. 3

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended with the following changes:

Amends the Animal Control Act. Lowers the criminal penalties for dog attacks, except that if the owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog inflicts serious physical injury on a person or a companion animal, the owner shall be guilty of a Class 4 felony (now, a Class A misdemeanor). Provides that if the owner of a dog knowingly allows it to run at large and the dog inflicts serious physical injury, as defined in the Act, or death to a person, the owner is guilty of a Class A misdemeanor (instead of a Class 4 felony). Sets forth that a good faith effort to retrieve a dog running at large in a timely fashion shall be an affirmative defense to this offense of allowing a dog to run at large that inflicts severe physical injury or death. Effective immediately.

Senate Floor Amendment No. 2

Deletes reference to:

510 ILCS 5/9.5 new

Adds reference to:

510 ILCS 5/16

from Ch. 8, par. 366

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes:

Amends the Animal Control Act. Deletes an added provision that a dog is not considered to be running at large if the dog is engaged in legal hunting activities or is in a dog park. With respect to animal attacks or injuries, provides that an owner is liable for any injuries that are proximately caused by an attack, attempted attack, or injury caused by a dog or other animal (instead of providing damages for attacks or injuries, whether direct or proximate). Deletes provisions that an animal pound, animal control facility, animal shelter, or other animal rescue group is not the owner of any animal that has been adopted. Deletes provisions exempting non-profit organizations, municipalities, and other units of local government that operate animal control agencies from liability for attacks or injuries that may occur after an animal is adopted. Deletes the immediate effective date.

May 31 06 H Public Act 94-0819

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04242 Rep. William Delgado-Maria Antonia Berrios-Cynthia Soto-Mary E. Flowers, Kenneth Dunkin, Sara Feigenholtz,
Patricia Reid Lindner, Lovana Jones, Esther Golar and Richard T. Bradley
(Sen. Iris Y. Martinez-Jacqueline Y. Collins-M. Maggie Crotty-Mattie Hunter-Kwame Raoul)

20 ILCS 505/7 from Ch. 23, par. 5007

Amends the Children and Family Services Act. Provides that the Department may place a child with a relative if the Department determines that the relative will be able to adequately provide for the child's safety and welfare based on the factors set forth in the Department's Rules governing relative placements and if the placement is consistent with the child's best interests taking into consideration the factors set out by statute for a "best interests" determination. Provides that in placing a child under the Act, the Department shall make reasonable efforts to identify and locate a relative who is ready, willing, and able to care for the child and that, at a minimum, these efforts are to be renewed each time the child requires a placement change when it is appropriate for the child to be cared for in a home environment. Requires the Department to document its efforts to identify and locate a relative placement and maintain the documentation in the child's case file. Provides that if any person files an administrative appeal of the Department's decision not to place a child with a relative, it will be the Department's burden to prove that its decision is consistent with the child's best interests. Sets forth additional requirements for the Department regarding relative placements. Includes , within the definition of "relative", any person who would have qualified as a relative under this paragraph, prior to an adoption, but only if the Department determines, and documents its determination, that it would be in the child's best interests to consider this person a relative. Makes other changes. Effective August 1, 2006.

Fiscal Note (Dept of Children and Family Services)

It is anticipated that no fiscal impact to the Department will result from this legislation.

Jun 20 06 H Public Act 94-0880

HB 04286 Rep. Jim Durkin-Angelo Saviano
(Sen. Don Harmon-Pamela J. Althoff-James A. DeLeo-John J. Millner)

70 ILCS 805/3c

Amends the Downstate Forest Preserve District Act. Deletes a provision that requires that the compensation for the president of the board of commissioners in certain counties shall be an amount equal to 85% of the annual salary of the county board chairman. Provides that the compensation of the president and the forest preserve commissioners shall be established by the board of commissioners of the forest preserve district (now, the compensation of the forest preserve commissioners is the same as that of county board members in the county with which the forest preserve district is co-extensive). Effective immediately.

Jun 22 06 H Public Act 94-0900

HB 04297 Rep. Daniel V. Beiser-Careen M Gordon-John E. Bradley-Sidney H. Mathias, Linda Chapa LaVia, Deborah L.
Graham, Edward J. Acevedo, Chapin Rose, Sandra M. Pihos, Robert F. Flider, Naomi D. Jakobsson, Brandon W.
Phelps, Milton Patterson, Lisa M. Dugan, Gary Hannig and Kurt M. Granberg
(Sen. Carol Ronen and James F. Clayborne, Jr.)

720 ILCS 5/16G-15

Amends the Criminal Code of 1961. Provides that a person convicted of identity theft who uses any personal identification information or personal identification document of another to purchase methamphetamine manufacturing material with the intent to unlawfully manufacture methamphetamine is guilty of a Class 3 felony for a first offense and a Class 2 felony for a second or subsequent offense.

House Amendment No. 1

Changes the penalty for identity theft when a person uses any personal identification information or personal identification document of another to purchase methamphetamine manufacturing material from a Class 3 felony to a Class 2 felony for a first offense and from a Class 2 felony to a Class 1 felony for a second or subsequent offense.

Jun 05 06 H Public Act 94-0827

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04298 Rep. Patrick J Verschoore-Robert F. Flider-John E. Bradley-Daniel V. Beiser-Aaron Schock, Brandon W. Phelps, Linda Chapa LaVia, Edward J. Acevedo, Donald L. Moffitt, Elizabeth Coulson, Harry Osterman, Jack D. Franks, Mike Boland, Gary Hannig, Karen A. Yarbrough and Naomi D. Jakobsson
(Sen. Mike Jacobs)

720 ILCS 5/11-9.3

720 ILCS 5/11-9.4

Amends the Criminal Code of 1961. Increases from within 500 feet to within 2,000 feet the distance from which a child sex offender may not loiter near a school or public park. Increases from within 500 feet to within 2,000 feet the distance from which a child sex offender may not reside near a school, playground, or a facility providing programs or services exclusively directed toward persons under 18 years of age or from a victim under 21 years of age.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/11-9.3

Deletes reference to:

720 ILCS 5/11-9.4

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Interstate Sex Offender Task Force Act. Provides that the Task Force shall consist of members representing the Illinois Department of Corrections, the Illinois State Police, the Office of the Illinois Attorney General, statewide sexual assault victim service providers, and such other criminal justice and law enforcement entities and organizations as deemed appropriate by the Illinois State Police. Provides that the Task Force shall examine: (1) the systems of communication between states regarding the interstate movement of registered sex offenders; (2) The laws of Illinois and its border states that restrict and affect where convicted or registered sex offenders may reside; (3) the extent to which law enforcement resources are affected by residency restrictions; and (4) the impact of residency restrictions on the parole, mandatory supervised release, and probation systems in Illinois. Provides that the Task Force shall report its findings and recommendations to the Governor, the Attorney General, and the General Assembly no later than January 1, 2007. Effective immediately.

House Amendment No. 2

Provides that the Illinois Department of Corrections shall provide staff and administrative support services to the Task Force.

Corrects a spelling error.

Senate Committee Amendment No. 1 (Senate recedes May 03, 2006)

Deletes reference to:

New Act

Adds reference to:

20 ILCS 4026/15

Deletes everything after the enacting clause. Amends the Sex Offender Management Board Act. Provides that the Sex Offender Management Board shall examine: the systems of communication between states regarding the interstate movement of registered sex offenders; the laws of Illinois and its border states restricting the residence of convicted or registered sex offenders, including but not limited to those enacted by the States of Iowa and Missouri; the extent to which State and local law enforcement resources are affected by these residency restrictions; the impact of residency restrictions for convicted or registered sex offenders on activities of, and on the resources required by, both county probation departments and the Illinois Department of Corrections. Provides that the Board shall report its findings and recommendations to the Governor and the General Assembly no later than January 1, 2008. Effective immediately.

Senate Floor Amendment No. 2 (Senate recedes May 03, 2006)

Deletes reference to:

20 ILCS 4026/15

Adds reference to:

New Act

HB 04298 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with these changes: (1) changes the membership in the Task Force to the Director of the Illinois Department of Corrections (or the Director's designee) who shall act as the Chair of the Task Force, the Director of the Illinois Department of State Police (or the Director's designee), the Attorney General (or the Attorney General's designee), one member of the General Assembly appointed by each of the following: the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives; together with one member designated by the Illinois State's Attorneys Association, one member designated by the Illinois Association of the Chiefs of Police, one member designated by the Illinois Sheriffs' Association, and any additional members the Chair of the Task Force may designate; (2) provides that members of the Task Force shall serve without compensation, but may be reimbursed for actual expenses as the discretion of the Director of the Illinois Department of Corrections from funds appropriated for that purpose; (3) provides that the Task Force shall report its findings and recommendations to the Governor, the Attorney General, and the General Assembly no later than January 1, 2008 (rather than January 1, 2007); and (4) corrects a typing error. Effective immediately.

Jul 03 06 H Public Act 94-0989

HB 04300 Rep. Chapin Rose-Dan Brady-David R. Leitch-Aaron Schock, Patrick J Verschoore, Jack McGuire and Jim Sacia
 (Sen. Dale E. Risinger-George P. Shadid, Kirk W. Dillard and Pamela J. Althoff)

720 ILCS 570/201 from Ch. 56 1/2, par. 1201

720 ILCS 570/206 from Ch. 56 1/2, par. 1206

720 ILCS 570/218 new

Amends the Illinois Controlled Substances Act. Provides that a drug product containing dextromethorphan may not be sold, delivered, distributed, or possessed except in accordance with the prescription requirements of the Act. Provides that a violation is a Class 4 felony. Exempts from this requirement a drug product containing dextromethorphan that is sold in tablet, liquid, capsule, or gel form and which is formulated, packaged, and sold in dosages and concentrations for use as an over-the-counter cough and cold medicine.

House Amendment No. 1

Changes the penalty for the offense. Provides that the possession of a drug product containing dextromethorphan without a prescription is a Class 4 felony. Provides that the sale, delivery, distribution, or possession with intent to sell, deliver, or distribute a drug product containing dextromethorphan without a prescription is a Class 2 felony. Excludes from the prescription requirements, a drug product containing dextromethorphan that is sold in powder or thin film form and sold in dosages and concentrations for use as an over-the-counter cough and cold medicine.

House Amendment No. 3

Provides that the provision requiring dextromethorphan to be distributed only by prescription does not apply to sale of a drug product containing dextromethorphan that is sold in certain forms as an over-the-counter drug product (rather than an over-the-counter cough and cold medicine). Includes in the exemption from prescription sales, dextromethorphan that is sold in solid form as an over-the-counter drug product. Defines over-the-counter drug product.

Senate Committee Amendment No. 1

Provides that persons registered with the Drug Enforcement Administration to manufacture or distribute controlled substances shall maintain adequate security and provide effective controls and procedures to guard against theft and diversion, but shall not otherwise be required to meet the physical security control requirements for Schedule V controlled substances containing pseudoephedrine or Schedule II controlled substances containing dextromethorphan.

May 25 06 H Public Act 94-0800

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04302 Rep. Sara Feigenholtz, Larry McKeon, Jack D. Franks, Linda Chapa LaVia, Karen A. Yarbrough, Elizabeth Coulson, Rosemary Mulligan, Harry Osterman, Barbara Flynn Currie, Monique D. Davis and Constance A. Howard
 (Sen. Carol Ronen-Mattie Hunter-Martin A. Sandoval-Kimberly A. Lightford-Kwame Raoul, Christine Radogno and Don Harmon)

320 ILCS 25/4

from Ch. 67 1/2, par. 404

Amends the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. In provisions concerning the Illinois Seniors and Disabled Drug Coverage Program of pharmaceutical assistance to the aged and disabled, provides that for program beneficiaries who are not eligible for Medicare Part D coverage and who are (i) disabled and under age 65, or (ii) age 65 or older with incomes over 200% of the federal poverty level, or (iii) age 65 or older, with incomes at or below 200% of the Federal Poverty Level, and not eligible for federally funded means-tested benefits due to immigration status, "covered prescription drug" includes any prescription drug for the treatment of HIV/AIDS or related conditions included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Department of Public Health. Effective immediately.

House Amendment No. 1

Adds reference to:

20 ILCS 2310/2310-315

was 20 ILCS 2310/55.41

Replaces everything after the enacting clause. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois; authorizes the Department of Public Health to provide prescription drug benefits counseling for persons with HIV or AIDS. Amends the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. In provisions concerning the Illinois Seniors and Disabled Drug Coverage Program, adds a 5th Eligibility Group, on and after January 1, 2007, consisting of beneficiaries who are otherwise described in Eligibility Group 1 but are eligible for Medicare Part D and have a diagnosis of HIV or AIDS. Provides that for individuals in Eligibility Group 5, once the Illinois Seniors and Disabled Drug Coverage Program and Medicare combined have paid \$1,750 in a year for covered prescription drugs, the beneficiary shall pay 20% of the cost of each prescription in addition to other co-payments unless the drug is included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Illinois Department of Public Health. Provides that if the drug is included in that formulary, individuals in Eligibility Group 5 shall continue to pay the co-payments after the Program and Medicare combined have paid \$1,750 in a year for covered prescription drugs. Adds a definition of "covered prescription drug" for individuals in Eligibility Group 5. Effective immediately.

Jun 23 06 H Public Act 94-0909

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04306 Rep. Mary E. Flowers-Kenneth Dunkin-Elizabeth Coulson-Kathleen A. Ryg-Linda Chapa LaVia, Annazette Collins, Robin Kelly, Mike Boland, Rosemary Mulligan, Elaine Nekritz, Julie Hamos, Susana A Mendoza, Edward J. Acevedo, David E. Miller, Arthur L. Turner, Daniel J. Burke, Jay C. Hoffman, George Scully, Jr., Karen A. Yarbrough, John A. Fritchey, Maria Antonia Berrios, Michelle Chavez, Art Tenhouse, William Delgado, Monique D. Davis, William Davis, Aaron Schock, Richard T. Bradley, Cynthia Soto and William B. Black
(Sen. John J. Cullerton-Don Harmon, Dale E. Risinger-Dale A. Righter, Cheryl Axley-Donne E. Trotter-Chris Lauzen and Mattie Hunter)

410 ILCS 335/10

410 ILCS 335/15 new

410 ILCS 335/20 new

Amends the Perinatal HIV Prevention Act. Requires HIV testing of newborns when the HIV status of the mother is unknown (now, testing is voluntary). Requires counseling to include the voluntary nature of the HIV test for a pregnant woman. Requires the reporting of a positive HIV test for a newborn infant to an electronic surveillance system established by the Department of Public Health. Requires the Department to adopt rules specifying the information required in the report. Provides that the confidentiality provisions of the AIDS Confidentiality Act apply to the reports. Requires the Department or its authorized representative to provide case management services to ensure access to proper care. Provides that hospitals, laboratories, other facilities, and physicians will not be held liable for the release of information or confidential data in accordance with the Act. Requires all HIV exposed newborns to be treated to prevent HIV infection within 24 hours after birth and until 6 weeks after birth. Effective immediately.

House Amendment No. 1

Provides that except for willful or wanton misconduct (rather than no conduct standard), hospitals, laboratories, other facilities, or physicians shall not be held liable for the release of certain information to the Department of Public Health.

House Amendment No. 2

Adds reference to:

410 ILCS 335/25 new

Provides that the provisions of the Perinatal HIV Prevention Act do not apply when a parent or guardian of a child objects on the grounds that the HIV testing conflicts with his or her religious tenets and practices. Requires a written statement of the objection to be presented to the physician or other person whose duty it is to administer and report the tests under the provisions of the Act.

House Amendment No. 3

Deletes everything after the enacting clause. Replaces with the bill as amended by House Amendment No. 2 with the following changes. Provides that counseling to the parent or guardian of an infant and HIV testing shall occur as soon as possible within medical standards (now, within 48 hours) after birth. Provides that the liability provisions of the AIDS Confidentiality Act apply to reporting and deletes a liability provision. Provides that when a test shows that the newborn infant is HIV exposed, the health professional or health facility shall inform the infant's parents or guardian of the importance of obtaining timely treatment to prevent the infant from becoming HIV infected. Requires the Department of Public Health to provide health professionals and facilities with written information to satisfy this requirement. Deletes a provision requiring the treatment of all HIV exposed newborn infants within 24 hours after birth and until 6 weeks after birth. Effective immediately.

House Amendment No. 6

Adds reference to:

410 ILCS 335/5

Adds reference to:

410 ILCS 335/30 new

Adds reference to:

410 ILCS 335/35 new

HB 04306 (CONTINUED)

Deletes everything after the enacting clause. Replaces with the bill as amended by House Amendment No. 3 with the following changes. Adds a definition of "Department". Requires health care professionals to recommend (now, offer) HIV testing to pregnant women. Requires health care professionals to inform a pregnant woman that, should she refuse HIV testing during pregnancy, her newborn infant will be tested for HIV. Requires health care facilities to adopt a policy that provides that as soon as possible within medical standards (rather than one hour) after the infant's birth, the mother's HIV test result, if available, shall be noted in the newborn infant's medical record and that it shall also be noted in the newborn infant's medical record if the mother's HIV test result is not available because she has not been tested or has declined testing. Requires reports of preliminarily HIV-positive women and preliminarily HIV-exposed newborn infants (rather than a positive HIV test for a newborn infant) to be reported to the Department of Public Health. Provides that the liability provisions of the AIDS Confidentiality Act apply to reporting, except for willful or wanton misconduct (rather than no conduct standard). Requires health care facilities to monthly report certain information to the Department. Requires the Department to establish a 24-hour Perinatal HIV Hotline. Requires health care facilities to adopt a policy to inform the mother of the newborn infant of the importance of obtaining treatment for her HIV infection. Requires the Department to prepare an annual report for the Governor and the General Assembly. Makes other changes. Effective immediately.

Fiscal Note (H-AM 6) (Dept. of Public Health)

As amended, does not have an increased fiscal impact on the Department.

Jun 23 06 H Public Act 94-0910

HB 04308 Rep. Jerry L. Mitchell-Lovana Jones-Karen May-Kathleen A. Ryg-Constance A. Howard, Donald L. Moffitt, Roger L. Eddy and Aaron Schock

(Sen. Todd Sieben)

105 ILCS 5/21-27

Amends the School Code. Requires the State Board of Education's annual budget to set out by separate line item the appropriation for the Illinois Teaching Excellence Program. Effective immediately.

Jun 22 06 H Public Act 94-0901

HB 04310 Rep. Renee Kosel

(Sen. Carole Pankau-Debbie DeFrancesco Halvorson)

105 ILCS 5/10-16.5 new

105 ILCS 5/10-16.7 new

105 ILCS 5/10-16.10 new

Amends the School Code. Requires school board members (other than members of the Chicago Board of Education) to take an oath of office. Sets forth that oath. Provides that each member of a school board (except in Chicago) shall direct and assist the superintendent in his or her charge of the administration of the school district. Requires new school board members (except in Chicago) to participate in an orientation program provided by the State Board of Education or a designated entity. Requires school board members (except in Chicago) to periodically participate in a professional development program conducted by the State Board or a designated entity. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill with the following changes. Provides that a school board (instead of each member of a school board) other than the Chicago Board of Education shall make all employment decisions pertaining to the superintendent, shall direct, through policy, the superintendent in his or her charge of the administration of the school district, and shall evaluate the superintendent in his or her administration of school board policies and his or her stewardship of district assets (instead of direct and assist the superintendent in his or her charge of the administration of the school district). Requires school board members (except in Chicago) to periodically participate in a professional development program conducted by the regional superintendent of schools or an approved entity or program (instead of the State Board of Education of a designated entity). Effective immediately.

House Amendment No. 2

Deletes reference to:

105 ILCS 5/10-16.10 new

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Provides that the school board's duty to make all employment decisions pertaining to the superintendent is in addition to its other powers and duties. Removes the provision concerning an orientation program and a periodic professional development program. Effective immediately.

Jun 20 06 H Public Act 94-0881

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04313 Rep. Carolyn H. Krause-Sidney H. Mathias-Paul D. Froehlich-Sandra M. Pihos-Patricia R. Bellock, Patricia Reid Lindner, Thomas Holbrook, Art Tenhouse, Jack D. Franks, Linda Chapa LaVia, Ronald A. Wait, Terry R. Parke and Naomi D. Jakobsson
(Sen. Martin A. Sandoval and Cheryl Axley)

20 ILCS 605/605-347 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Requires the Department of Commerce and Economic Opportunity to establish and maintain a program to certify energy-efficient appliances. Provides that, under the program, the Department must identify which appliances qualify as certified energy-efficient appliances and must identify the average first-year kilowatt hours saved, or the equivalent for other fuel saved, by the use of the appliance. Requires the Department to post this information in its Internet website. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Further amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that the Department of Commerce and Economic Opportunity may, subject to appropriation, provide information to the public on energy-efficient appliances by a hypertext link to the Energy Star Internet website maintained by the United States Environmental Protection Agency or by compiling information about the Energy Star Program on the Department's website. Defines "energy efficient appliance" to mean any household appliance that qualifies as an "Energy Star" product under the Energy Star Program administered by the United States Environmental Protection Agency. Effective immediately.

May 10 06 H Public Act 94-0751

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04314 Rep. Michael Tryon-Patricia R. Bellock-Jack D. Franks-Jay C. Hoffman-Mark H. Beaubien, Jr., John A. Fritchey, Susana A. Mendoza, Eddie Washington, Rich Brauer, Annazette Collins, Charles E. Jefferson, Elaine Nekritz, Kevin A. McCarthy, Kevin Joyce, Elizabeth Coulson, Sandra M. Pihos, Rosemary Mulligan, Thomas Holbrook, Joe Dunn, Michael P. McAuliffe and Ed Sullivan, Jr.
(Sen. Martin A. Sandoval)

625 ILCS 5/13B-55

625 ILCS 5/13C-55

Amends the Illinois Vehicle Code. Provides that the Secretary of State may not renew the vehicle registration (rather than shall suspend the driving privileges or vehicle registration or both) of any vehicle owner who fails to comply with emissions testing requirements. Effective immediately.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/13B-55

Adds reference to:

625 ILCS 5/13C-15

Adds reference to:

625 ILCS 5/13C-50

Adds reference to:

625 ILCS 5/13C-60

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that, no later than January 1, 2008, every vehicle that is subject to inspection under the Vehicle Emissions Inspection Law of 2005 is subject to inspection within not less than 30 days of notification by the Secretary of State. Provides that the owner of an inspected vehicle must obtain an emissions compliance certificate for the vehicle. Establishes a schedule for inspection of subject vehicles once every 2 years. Requires the Secretary and the Environmental Protection Agency to provide for a smooth transition to the new inspection schedule. Creates exemptions from the inspection requirement. Provides that, for a fee of \$20, the Agency may inspect vehicles whose inspection is not required under the law. Provides that, no later than January 1, 2008, the Secretary and the Agency shall establish a system under which a vehicle whose owner has not complied with inspection requirements shall be denied registration. Sets requirements for the system. Provides that the Secretary of State shall suspend the registration of a vehicle whose owner has not complied with inspection requirements. Provides that a person who displays an inspection or exemption certificate (rather than an inspection or exemption sticker) other than the one lawfully provided, or who duplicates or alters a certificate (rather than a sticker) or who uses, possesses, or distributes a certificate (rather than a sticker) in an unlawful manner is guilty of a Class C misdemeanor. Makes other changes. Effective immediately.

House Amendment No. 2

Deletes language regarding the contents of the compliance certificate.

Jun 22 06 H Governor Vetoed

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04315 Rep. James D. Brosnahan-Sidney H. Mathias-Kevin Joyce-John A. Fritchey-Randall M. Hultgren, JoAnn D. Osmond, Robert Rita, Richard T. Bradley, Kevin A. McCarthy, Michael K. Smith, John D'Amico, Eddie Washington, Jim Sacia, Jack D. Franks, Linda Chapa LaVia and Robert S. Molaro
 (Sen. John J. Millner-Edward D. Maloney-Pamela J. Althoff)

225 ILCS 460/1 from Ch. 23, par. 5101

225 ILCS 460/8.5 new

225 ILCS 460/9 from Ch. 23, par. 5109

225 ILCS 460/12 from Ch. 23, par. 5112

Amends the Solicitation for Charity Act. Requires the registration of contributions collection agents in the form and manner prescribed by the Attorney General. Defines "contributions collection agent" as any person who, for compensation or other consideration, collects charitable contributions in the form of property, including without limitation automobiles, motorcycles, and boats, on behalf of a charitable organization or trustee for a charitable purpose and oversees the resale of such property and the distribution of funds collected from the resale of the property to the charitable organization or trustee. Provides that no person may register as a contributions collection agent who has been convicted of any felony or of a misdemeanor involving fiscal wrongdoing, breach of fiduciary duty, or a violation of the Act. Requires contributions collection agents to maintain accurate and detailed records regarding all property collected, which shall be open to inspection at all reasonable times by the Attorney General or his or her duly authorized representative. Makes other changes.

House Amendment No. 1

Deletes reference to:

225 ILCS 460/8.5 new

Deletes reference to:

225 ILCS 460/9

Deletes reference to:

225 ILCS 460/12

Adds reference to:

225 ILCS 460/5 from Ch. 23, par. 5105

Adds reference to:

225 ILCS 460/6 from Ch. 23, par. 5106

Deletes everything after the enacting clause. Amends the Solicitation for Charity Act. Makes changes in the definitions of "professional fund raiser" and "professional solicitor" to include certain persons who receive and collect contributions, in addition to soliciting contributions. Requires the submission of certain detailed schedules along with the required financial report of professional fund raisers who conduct, manage, or carry on a fund raising campaign involving the collection or resale of any motor vehicles or water crafts. Makes other changes.

May 09 06 H Public Act 94-0749

HB 04317 Rep. Mark H. Beaubien, Jr.-JoAnn D. Osmond-Ed Sullivan, Jr.-Terry R. Parke-Donald L. Moffitt
 (Sen. William E. Peterson-George P. Shadid-Dale A. Righter, Pamela J. Althoff and Mattie Hunter)

40 ILCS 5/4-108 from Ch. 108 1/2, par. 4-108

40 ILCS 5/4-108.5 new

30 ILCS 805/8.30 new

Amends the Illinois Pension Code. Allows a firefighter for a participating municipality who was employed as an active firefighter providing fire protection for a village or incorporated town with a population of greater than 10,000 but less than 11,000 located in a county with a population of greater than 600,000 and less than 700,000, as estimated by the United States Census on July 1, 2004, to elect to establish creditable service for periods of that employment in which the firefighter provided fire protection services for the participating municipality. Provides for calculation of creditable service for service as a part-time firefighter for such a village or incorporated town. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Jun 15 06 H Public Act 94-0856

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04345 Rep. Daniel J. Burke-Joseph M. Lyons-Thomas Holbrook-Mike Boland, Roger Jenisch and Frank J. Mautino
 (Sen. Jacqueline Y. Collins-Dan Rutherford-Christine Radogno-Todd Sieben)

205 ILCS 105/1-1.5 new

205 ILCS 105/1-5 from Ch. 17, par. 3301-5

205 ILCS 205/1001.5 new

205 ILCS 205/1004 from Ch. 17, par. 7301-4

Amends the Illinois Savings and Loan Act of 1985 and the Savings Bank Act. Prohibits any person or group of persons from (1) using the name of an existing savings and loan association or savings bank when marketing or soliciting business from customers or prospective customers if the name is used without the written consent of that association or savings bank or (2) using a name that is similar to that of an existing savings and loan association or savings bank when marketing to or soliciting business from customers or prospective customers if the similar name is used in a manner that would cause a reasonable person to believe that the existing association or savings bank originated, endorsed, or is in any other way responsible for the marketing material or solicitation. Authorizes the Secretary of Financial and Professional Regulation to issue cease and desist orders for violation of these provisions. Imposes civil penalties for violation of the these provisions and for violation of the cease and desist order. Authorizes the Department of Financial and Professional Regulation to adopt rules to administer the provisions. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Savings and Loan Act of 1985 and the Savings Bank Act. Except as otherwise provided by law or with the written consent of the savings and loan association or savings bank, prohibits any person or group of persons from using the name of or a name similar to the name of an existing association or savings bank when marketing to or soliciting business from customers or prospective customers if the name or similar name is used in a manner that would cause a reasonable person to believe that the existing association or savings bank originated, endorsed, or is in any way responsible for the marketing material or solicitation. Authorizes the Secretary of Financial and Professional Regulation to issue cease and desist orders for violation of the provisions. Imposes civil penalties for violation of the provisions and for violation of the cease and desist order. Authorizes the Department of Financial and Professional Regulation to administer the provisions. Makes other changes. Effective immediately.

Jun 06 06 H Public Act 94-0833

HB 04349 Rep. Jim Watson-William B. Black, Patrick J Verschoore and Thomas Holbrook
 (Sen. Deanna Demuzio and Mike Jacobs)

65 ILCS 5/11-119.2-3 from Ch. 24, par. 11-119.2-3

Amends the Municipal Code. Changes the definition of "municipality" in the Illinois Joint Municipal Natural Gas Act, which allows 2 or more municipalities to form a municipal natural gas agency and sets forth the powers and requirements for those agencies, to include cities, villages, or incorporated towns located in any other state in the United States (instead of the State of Illinois only). Effective immediately.

Apr 20 06 H Public Act 94-0731

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04357 Rep. Patricia Reid Lindner-Lovana Jones-Patricia R. Bellock-Sara Feigenholtz-Linda Chapa LaVia, Suzanne Bassi, Jack D. Franks and Paul D. Froehlich
 (Sen. John J. Cullerton, Cheryl Axley-Kwame Raoul and Mike Jacobs)

750 ILCS 5/607

from Ch. 40, par. 607

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that grandparents, great-grandparents, and siblings of a minor child may petition the court for visitation, provided that the petition must be filed in the county in which the child resides. Provides that a petition may be filed when the custodial parent denies visitation and the other parent is dead, missing for 3 months or more, incompetent, or incarcerated for 3 months preceding the filing of a petition. Provides that any visitation granted under this Section ends by operation of law if the child is adopted however, if one natural parent is dead and the surviving spouse remarries, a subsequent adoption will not terminate visitation granted by a court to parents of the deceased parent. Provides that a petitioner who seeks to overcome the presumption that a parent's actions regarding visitation by the grandparent, great-grandparent, or sibling are not harmful to the child's health may do so by proof that the child had a significant relationship with the petitioner that, once lost, will cause harm to the child or the petitioner was the primary caregiver of the child. Describes significant existing relationship with a grandchild. A grandparent is not required to present expert testimony to prove the existence of a significant existing relationship between the child and the grandparent. The court may apply a reasonable person standard to determine whether there is a significant relationship between the child and the grandparent, or that the loss of the relationship between the child and the grandparent is likely to cause severe emotional harm to the child. Provides that a child's parent may always file a petition to modify visitation upon changed circumstances. Deletes provision that grandparent visitation subsection does not apply to a child who is the subject of a pending juvenile court case. Deletes provision that bars any petition for visitation after adoption.

House Amendment No. 1

Adds reference to:

750 ILCS 5/607

from Ch. 40, par. 607

Deletes everything after the enacting clause. Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that if a grandparent, great-grandparent, or sibling of a minor child petitions for visitation, the petition must be filed in the county where the child resides. Defines "sibling" in this Section as a brother, sister, stepbrother, or stepsister of the minor child. Adds that a petition may be filed by a grandparent, great-grandparent, or sibling when the custodial parent denies visitation and (i) the other parent is dead, missing for 3 months or more, incompetent, or incarcerated for 3 months (now, sentenced to a year or more of imprisonment) preceding the filing of a petition or (ii) there is a pending dissolution proceeding involving a parent of the child or there is any other court proceeding involving the custody or visitation of the child. Allows a grandparent, who is the parent of a person whose parental rights have been terminated, to petition for visitation, even in cases of adoption (now, except in a case of adoption). Provides that any grandparent, great-grandparent, or sibling visitation ends by operation of law if the child is adopted by other than a blood relative. Provides that if a blood relative adopts the child or if one natural parent is dead and the surviving spouse remarries, a subsequent adoption will not terminate visitation granted by a court to parents of the deceased natural parent, unless to do so is in the best interest of the child. Provides that a petitioner, who seeks to overcome the presumption that a fit parent's decisions regarding visitation by a grandparent, great-grandparent, or sibling are not harmful to the child's health, may do so by proof that the child had a significant relationship with the petitioner that, once lost, will cause harm to the child or that the petitioner was the primary caregiver of the child. A grandparent, great-grandparent, or sibling is not required to present expert testimony to prove that he or she has a significant existing relationship with the child. The court shall apply a "reasonable person" standard to determine if the petitioner has a significant relationship with the child or if the loss of the relationship between the child and the grandparent, great-grandparent, or sibling is likely to cause severe emotional harm to the child. Provides that a child's parent may always petition to modify visitation upon changed circumstances, to promote the child's best interest. Deletes provision that bars any petition for visitation after adoption. Deletes provisions that provide for modification of visitation by a grandparent, great-grandparent, or sibling based upon the child's best interest.

Senate Floor Amendment No. 3

Deletes everything after the enacting clause and re-inserts provisions similar to those of the engrossed bill with numerous changes regarding: the standing of grandparents, great-grandparents, and siblings to petition for visitation; inapplicability of various visitation provisions to a child in whose interests a petition to adopt an unrelated child is pending under the Adoption Act; lack of standing of a parent, grandparent, great-grandparent, child, or sibling of a parent whose parental rights have been terminated through an adoption proceeding to petition for visitation rights; grandparent visitation when a court has terminated a parent-child relationship; a parent who lost parental rights visiting with the child during grandparent, great-grandparent, or sibling visitation; automatic termination of any visitation rights when parental rights are terminated or when an adoption is granted; the factors the court shall consider in determining whether to grant visitation, specifically whether the grandparent, great-grandparent, or sibling was a primary caretaker for at least 6 consecutive months; and other matters.

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04362 Rep. Thomas Holbrook-Barbara Flynn Currie-Dan Reitz
 (Sen. James F. Clayborne, Jr.-Dan Rutherford)

New Act

Creates the Scavenger Sales Ethics Act. Contains only a short title provision.

House Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

35 ILCS 200/21-205

Deletes everything after the enacting clause. Amends the Property Tax Code. Provides that county collector may conduct a tax sale by automated means, provided that bidders are required to personally attend the sale.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Fiscal Note (H-AM 1) (Dept. of Revenue)

As amended, will not have a significant fiscal impact upon the Illinois Department of Revenue nor on state revenues.

As amended, will not have a significant fiscal impact upon the Illinois Department of Revenue nor on state revenues.

Housing Affordability Impact Note (H-AM 1) (Housing Development Authority)

No fiscal effect on a single family residence.

Jun 26 06 H Public Act 94-0922

HB 04365 Rep. William B. Black-Rich Brauer-Jim Watson-Roger L. Eddy-Calvin L. Giles, Robert W. Pritchard, Shane Cultra
 and Jerry L. Mitchell

(Sen. William R. Haine-Richard J. Winkel, Jr.-James F. Clayborne, Jr.-M. Maggie Crotty)

105 ILCS 5/18-8.2 from Ch. 122, par. 18-8.2

105 ILCS 5/18-8.5 from Ch. 122, par. 18-8.5

Amends the School Code. Allows cooperative high schools to receive some of the same supplementary State aid that new districts receive. Effective immediately.

Jun 22 06 H Public Act 94-0902

HB 04369 Rep. David R. Leitch

(Sen. Dale E. Risinger)

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that the redevelopment project in the TIF district created by an ordinance that was adopted on April 20, 1993 by the Village of Princeville must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

May 19 06 H Public Act 94-0778

HB 04370 Rep. Rich Brauer-Daniel J. Burke-Mary E. Flowers-Raymond Poe-Jerry L. Mitchell
(Sen. Ira I. Silverstein-Larry K. Bomke-John J. Millner)

210 ILCS 5/6.7 new

Amends the Ambulatory Surgical Treatment Center Act. Provides that a registered nurse may administer conscious sedation when ordered by a physician licensed to practice medicine in all its branches and when the registered nurse and physician meet specified conditions. Provides a definition of "conscious sedation". Effective immediately.

House Amendment No. 1

Adds reference to:

225 ILCS 60/54.6 new

Deletes everything after the enacting clause. Amends the Ambulatory Surgical Treatment Center Act. Provides that a registered nurse may administer medications for the delivery of local or minimal sedation when ordered by a physician licensed to practice medicine in all its branches, podiatrist, or dentist. Provides that if the ambulatory surgical treatment center policy allows the registered nurse to deliver moderate sedation ordered by a physician licensed to practice medicine in all its branches, podiatrist, or dentist, the registered nurse and physician, podiatrist, or dentist must meet specified conditions. Requires the Division of Professional Regulation of the Department of Financial and Professional Regulation to define local, minimal, and moderate sedation. Amends the Medical Practice Act of 1987. Provides that nothing in the Act precludes a registered nurse from administering local anesthesia or minimal sedation or moderate sedation, as defined by rule, ordered by a physician licensed to practice medicine in all its branches. Requires the Department of Financial and Professional Regulation to define the levels of anesthesia by rule and to list medications for moderate sedation that are permitted under the Ambulatory Surgical Treatment Center Act as rapidly reversible pharmacologically. Effective immediately.

Jun 16 06 H Public Act 94-0861

HB 04375 Rep. Terry R. Parke and Careen M Gordon
(Sen. Chris Lauzen and Cheryl Axley)

730 ILCS 150/12

820 ILCS 405/1900 from Ch. 48, par. 640

Amends the Sex Offender Registration Act. Provides that the Department of State Police shall have access to State of Illinois databases containing information that may help in the identification or location of persons required to register under the Act, including, but not limited to, information obtained in the course of administering the Unemployment Insurance Act. Amends the Unemployment Insurance Act. Provides that the Director of Employment Security shall make available to the Department of State Police any information concerning the place of employment or former places of employment of a person who is required to register as a sex offender under the Sex Offender Registration Act that may be useful in enforcing the registration provisions requiring a sex offender to disclose his or her place of employment to the law enforcement agency of the jurisdiction in which the sex offender is employed. Effective immediately.

House Amendment No. 1

Provides that the Director of Employment Security shall make available to the Department of State Police, upon request, any information concerning the place of employment or former places of employment of a person who is required to register as a sex offender under the Sex Offender Registration Act that may be useful in enforcing the registration provisions requiring a sex offender to disclose his or her place of employment to the law enforcement agency of the jurisdiction in which the sex offender is employed.

Jun 23 06 H Public Act 94-0911

HB 04377 Rep. Jay C. Hoffman-Thomas Holbrook
(Sen. William R. Haine and Frank C. Watson-James F. Clayborne, Jr.-John O. Jones)

230 ILCS 5/27 from Ch. 8, par. 37-27

Amends the Illinois Horse Racing Act of 1975. Provides that, beginning on the effective date and until moneys deposited into the Horse Racing Equity Fund are distributed and received, a pari-mutuel tax at the rate of 0.25% (instead of 1.5%) of the daily pari-mutuel handle is imposed at a pari-mutuel facility whose license is derived from a track located in a county that borders the Mississippi River and conducted live racing in the previous year. Effective immediately.

Fiscal Note (Department of Revenue)

Would reduce the pari-mutuel tax moneys collected from a horse racing track located in a county that borders the Mississippi River and its associated inter-track wagering locations and deposited into the General Revenue Fund by approximately \$1.37 million per year beginning on the effective date of the amendatory act and ending when riverboat gambling operations are conducted under the dormant owners license authorized under the Riverboat Gambling Act.

May 26 06 H Public Act 94-0805

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04383 Rep. Patricia R. Bellock-James H. Meyer-Elizabeth Coulson-Julie Hamos-Michael Tryon, Robert W. Pritchard, Harry R. Ramey, Jr., Lee A. Daniels, Carolyn H. Krause, Patricia Reid Lindner, Ron Stephens, Jim Durkin, Bob Biggins, Sandra M. Pihos and Rosemary Mulligan
(Sen. Kirk W. Dillard-John J. Millner-Pamela J. Althoff)

750 ILCS 5/505.2 from Ch. 40, par. 505.2

750 ILCS 45/14 from Ch. 40, par. 2514

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that the court shall order the obligor to reimburse the obligee for 50% of the premium for placing the child on his or her health insurance policy if: (i) a health insurance plan is not available to the obligor through an employer or labor union or trade union and the court does not order the obligor to cover the child as a beneficiary of any health insurance plan that is available to the obligor on a group basis or as a beneficiary of an independent health insurance plan to be obtained by the obligor; or (ii) the obligor does not obtain medical insurance for the child within 90 days of the date of the court order requiring the obligor to obtain insurance for the child. Permits the court to order the obligor to reimburse the obligee for 100% of the premium for placing the child on his or her health insurance policy. Amends the Illinois Parentage Act of 1984. Instructs the court to use the guidelines in the listed Sections of the Illinois Marriage and Dissolution of Marriage Act for purposes of child health insurance coverage.

House Amendment No. 1

Further amends the Illinois Marriage and Dissolution of Marriage Act. Provides that when the court is required to order the obligor to reimburse the obligee for 50% of the health insurance premium, the court may decline to enter the order if it would be inappropriate to do so.

Jun 26 06 H Public Act 94-0923

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04406 Rep. Lovana Jones-Constance A. Howard-Monique D. Davis-Barbara Flynn Currie-Charles E. Jefferson, Esther Golar, Eddie Washington, Annazette Collins, Robin Kelly, David E. Miller, Milton Patterson, Marlow H. Colvin, Edward J. Acevedo, Linda Chapa LaVia, Kenneth Dunkin, Karen A. Yarbrough, Robert Rita, Naomi D. Jakobsson, Arthur L. Turner, Wyvetter H. Younge, William Davis, Cynthia Soto, Kurt M. Granberg, Mary E. Flowers, Jack D. Franks, Calvin L. Giles and Julie Hamos

(Sen. Jacqueline Y. Collins and Ira I. Silverstein)

110 ILCS 947/65.75 new

Amends the Higher Education Student Assistance Act. For his or her first year of full-time attendance at an institution of higher learning, provides that a person is entitled to a \$1,000 grant if he or she (i) is in the legal custody of his or her grandparent and receives public aid assistance under the Illinois Public Aid Code, (ii) has graduated from high school with a cumulative grade point average of at least a 3.0 on a 4.0 scale, and (iii) has been recommended for the grant by the principal of his or her high school.

House Amendment No. 1

Provides that a person is entitled to a renewable grant for each year he or she is enrolled full-time at an institution of higher learning (instead of a grant for his or her first year of full-time attendance at an institution of higher learning). Requires the person to have graduated from high school with a cumulative grade point average of at least a 2.7 (instead of 3.0) on a 4.0 scale. Authorizes the Illinois Student Assistance Commission to adopt any rules necessary to carry out the provision.

Fiscal Note (H-AM 1) (Ill. Community College System)

Since the number of qualified persons for the proposed grants is unknown, the amount of funds that may be required is not known at this time.

State Mandates Fiscal Note (Ill. Community College Board)

Does not create a state mandate for the state's public community colleges.

House Amendment No. 2

Provides that a person is eligible for (instead of entitled to) a grant. Provides that a person must be recommended for the grant by his or her principal or other comparable (instead of appropriate) administrative officer. Provides that as a condition of grant renewal, the person must provide the Illinois Student Assistance Commission with a recommendation for the grant by an academic counselor, advisor, or instructor at the institution of higher learning.

State Mandates Fiscal Note (H-AM 2) (Ill. Community College Board)

Does not create a state mandate for the state's public community colleges.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill as engrossed, with the following changes.

Provides that the applicant's enrollment in an institution of higher learning must be full-time. Provides that the grant is renewable for a total of up to 4 years of full-time enrollment if certain conditions are met; makes a related change.

Jun 30 06 H Public Act 94-0968

HB 04419 Rep. John D'Amico-Thomas Holbrook-Joseph M. Lyons-Monique D. Davis, Charles E. Jefferson, Linda Chapa LaVia and Esther Golar

(Sen. William R. Haine)

220 ILCS 5/4-101 from Ch. 111 2/3, par. 4-101

Amends the Public Utilities Act. Provides that the Illinois Commerce Commission shall require all public utilities (now, all electric public utilities) to establish a security policy that includes on-site safeguards to restrict access to critical infrastructure and computerized control and data systems. Makes corresponding changes. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Public Utilities Act. Provides that the Illinois Commerce Commission shall require all public utilities (now, all electric public utilities) to establish a security policy and makes corresponding changes. Deletes a provision limiting the security policy to restricting physical or electronic access to critical infrastructure and computerized control and data systems by personnel employed by or under contract with the electric public utility company or by personnel of any entity regulated by the Commission that supplies power to wholesale or residential markets. Requires the annual affidavit that each regulated entity is required to submit to the Commission concerning the security policy to state (i) that the entity has a security policy in place, (ii) that the entity has conducted at least one practice exercise based on the security policy within the 12 months immediately preceding the date of the affidavit, and (iii) with respect to any entity that is an electric public utility, that the entity follows, at a minimum, the most current security standards set forth by the North American Electric Reliability Council. Effective immediately.

May 01 06 H Public Act 94-0735

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04425 Rep. Art Tenhouse-Randall M. Hultgren-John A. Fritchey-William B. Black-Jim Watson
 (Sen. Donne E. Trotter)

815 ILCS 710/6 from Ch. 121 1/2, par. 756

Amends the Motor Vehicle Franchise Act. Provides that if a manufacturer or other franchiser has entered into an agreement with a dealer under which the franchiser is to be reimbursed for parts that the dealer has used in making repairs covered by a warranty, the amount of the reimbursement shall be the difference between the price of the part under the agreement and the prevailing price charged for that part by similar dealers in the area. Provides that the franchiser may not increase the amount of the required reimbursement to reflect additional costs. Provides that, at the request of the dealer, the franchiser shall provide information indicating how the reimbursement amount was calculated. Provides that a dealer may not disclose any confidential information that the dealer obtains regarding any other dealer as a result of the request, unless the disclosure is made in legal proceedings or under order of the Motor Vehicle Review Board or a court of competent jurisdiction. Provides that a franchiser may not take any adverse action against a dealer for failing to enter a reimbursement agreement with the franchiser or for charging the prevailing price for a part. Effective immediately.

Jun 20 06 H Public Act 94-0882

HB 04438 Rep. Harry R. Ramey, Jr.-Careen M Gordon-Dan Brady-Randall M. Hultgren-James H. Meyer, Ruth Munson, Jack D. Franks, Linda Chapa LaVia, Elaine Nekritz, Thomas Holbrook, Elizabeth Coulson, Sandra M. Pihos, Daniel V. Beiser, Naomi D. Jakobsson, Esther Golar and Charles E. Jefferson
 (Sen. Don Harmon-Kirk W. Dillard and Ira I. Silverstein)

720 ILCS 5/16G-13 new

720 ILCS 5/16G-21

720 ILCS 5/33-3 from Ch. 38, par. 33-3

Amends the Criminal Code of 1961. Creates the offense of facilitating identity theft. Provides that a person commits the offense when he or she is an employee of the State of Illinois who in the course of his or her official duties has access to personal identifying information of another person, whether written, recorded, or on computer disk and disposes of that written, recorded, or computerized information in any receptacle, trash can, or other container that the public could gain access to without shredding that information, destroying the recording, or wiping the computer disk so that the information is either unintelligible or destroyed. Provides for civil remedies. Provides that such violation is official misconduct. Provides that a violation is a Class 3 felony.

House Amendment No. 1

Provides that in order for a person to be guilty of facilitating identity theft, the person must have knowingly disposed of the written, recorded, or computerized personal identifying information.

House Amendment No. 2

Deletes reference to:

720 ILCS 5/33-3

Adds reference to:

720 ILCS 5/16H-1

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Reinserts the provisions of the bill, as amended, with these changes: (1) changes the penalties for facilitating identity theft from a Class 3 felony to a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense; (2) provides that in order to commit the offense the offender must have the intent of committing identity theft, aggravated identity theft, or a violation of the Illinois Financial Crime Law; (3) deletes the amendatory changes to the statute concerning official misconduct; and (4) changes the title of Article 16H of the Criminal Code of 1961 from the Illinois Financial Crime Act to the Illinois Financial Crime Law.

Senate Committee Amendment No. 1

In provisions setting forth the elements of the offense of facilitating identity theft, provides that the information disposed by the State employee must be personal information as defined in the Personal Information Protection Act (rather than personal identifying information as defined in the Identity Theft Law of the Criminal Code of 1961).

Senate Floor Amendment No. 2

Provides that the offense of facilitating identity theft may be committed by a person who, in the course of his or her employment or official duties, has access to the personal information of another person in possession of the State of Illinois (rather than just by an employee of the State of Illinois who, in the course of his or her official duties, has access to the personal information).

Jun 30 06 H Public Act 94-0969

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04446 Rep. Milton Patterson-Constance A. Howard-Deborah L. Graham
(Sen. Jacqueline Y. Collins-Mattie Hunter)

730 ILCS 5/3-14-4 from Ch. 38, par. 1003-14-4

Amends the Unified Code of Corrections. Provides that the Department of Corrections shall adopt rules that limit the number of half-way houses that may be established by the Department within a geographic area as determined by the Department.

House Amendment No. 1

Deletes reference to:

730 ILCS 5/3-14-4

Adds reference to:

730 ILCS 5/3-14-4.5 new

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Provides that a person or entity other than the Department of Corrections who intends to establish a half-way house for the residence of persons on parole or mandatory release from the Department of Corrections shall, as a prerequisite to establishing the half-way house, obtain the signature from every resident at least 18 years of age who resides within 250 feet of the ingress and egress of the proposed half-way house on a form indicating the location of the proposed half-way house and acknowledging their consent to the establishment of the half-way house at the stated location. Provides that the completed form shall be filed with the State's Attorney and the sheriff of the county and the proper law enforcement agency of the municipality in which the half-way house is located. Provides that this provision does not apply to half-way houses in operation on the effective date of this amendatory Act of the 94th General Assembly. Provides that not less than 15 days prior to the placement of a person in such a half-way house, the half-way house shall give written notice to the State's Attorney and the sheriff of the county and the proper law enforcement agency of the municipality in which the half-way house is located of the identity of the person to be placed in that program. Provides that failure to give notice is a petty offense for which a \$1,000 fine shall be imposed for each violation. Provides that establishing or maintaining a half-way house, other than by the Department of Corrections, without complying with this provision is a Class A misdemeanor. Imposes a \$1,000 fine for a half-way house, other than the Department of Corrections, that fails to comply with local zoning ordinances for each week in violation.

House Amendment No. 2

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Provides that any person or entity who intends to establish a half-way house for the residence of persons on parole or mandatory release from the Department of Corrections shall comply with all applicable local zoning laws. Provides that the establishment or maintenance of a half-way house, other than by the Department of Corrections, without complying with all applicable local zoning laws is a Class A misdemeanor for which the offender shall be fined \$1,000 for every week that the half-way house is in violation, in addition to any other locally imposed fines. Provides that not less than 15 days prior to the placement of a person in such a half-way house, the half-way house shall give written notice to the State's Attorney and the sheriff of the county and the proper law enforcement agency of the municipality in which the half-way house is located of the identity of the person to be placed in that program. Provides that failure to comply with the notification requirements is a petty offense for which a \$1,000 fine shall be imposed for each offense.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Reinserts the provisions of the engrossed bill with these changes: (1) defines half-way house; (2) provides that the amendatory provisions apply to half-way houses established on or after the effective date of the amendatory Act; (3) provides that the half-way house must comply with all applicable local ordinances and permitting requirements (rather than applicable local zoning laws); (4) eliminates the Class A misdemeanor violation for the establishment of a half-way house without complying with all applicable local zoning laws; and (5) provides that the notice of placement of persons in the half-way house must be given not more than 48 hours after placement and may be given by facsimile transmission.

Jun 27 06 H Public Act 94-0946

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04449 Rep. Thomas Holbrook-Daniel V. Beiser-Jay C. Hoffman-Ron Stephens-Dan Reitz, Brandon W. Phelps, Sandra M. Pihos, Ruth Munson, Jack McGuire, Patrick J Verschoore, Michael K. Smith and Naomi D. Jakobsson
 (Sen. William R. Haine-James F. Clayborne, Jr. and Cheryl Axley-Dave Syverson)

815 ILCS 530/25 new

815 ILCS 530/30 new

Amends the Personal Information Protection Act. Provides that any State agency that collects personal data and has had a breach of security of the system data or written material shall submit an annual report to the General Assembly listing the breaches and outlining any corrective measures that have been taken to prevent future breaches of the security of the system data or written material. Provides that any State agency that collects personal data that is no longer needed or stored at the agency shall dispose of the personal data or written material it has collected in such a manner as to ensure the security and confidentiality of the material. Effective immediately.

House Amendment No. 1

Adds reference to:

815 ILCS 530/10

Adds reference to:

815 ILCS 530/12 new

Replaces everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Further amends the Personal Information Protection Act. Provides that the notice of the breach of the security of the system data shall be provided at no charge. Provides for notice requirements for State agencies that have a breach of security of the system data or written material. Provides that, in addition to the annual report, any State agency that collects personal data and has had a breach of security of the system data or written material shall submit a report to the General Assembly within 5 business days of the discovery or notification of the breach. Provides that, if a State agency is required to notify more than 1,000 persons of a breach of security, the State agency shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis of the timing, distribution, and content of the notices. Effective immediately.

Fiscal Note (H-AM 1) (Dept. of Central Management Services)

CMS anticipates that, for an average year, the fiscal impact of HB 4449, HA #1 would be minimal, less than \$10,000.

House Amendment No. 2

Permits the notification requirements concerning notice of breach of the security of the system data to be delayed upon a request by law enforcement if a law enforcement agency determines that the notification will impede a criminal investigation. Provides that the notification time period shall commence after the data collector receives notice from the law enforcement agency that the notification will not compromise the investigation.

Senate Floor Amendment No. 1

Provides that the notification of breach of security of the system data may be delayed if an appropriate law enforcement agency determines that the notification will interfere with a criminal investigation and provides the data collector with a written request for the delay. Requires the data collector to notify the Illinois resident as soon as the notification will no longer interfere with the investigation.

Jun 27 06 H Public Act 94-0947

HB 04451 Rep. Daniel V. Beiser-Mike Boland-Terry R. Parke, Michelle Chavez, Charles E. Jefferson, Linda Chapa LaVia, John D'Amico, Deborah L. Graham, Patrick J Verschoore, Jack McGuire and Larry McKeon
 (Sen. Kimberly A. Lightford and Dale A. Righter)

415 ILCS 105/8

from Ch. 38, par. 86-8

605 ILCS 120/50 new

Amends the Litter Control Act and the Illinois Adopt-A-Highway Act. Provides that a person convicted of violating the Litter Control Act by disposing of litter along a highway may, in addition to any other penalty, be required to maintain litter control, for a period of 30 days, over a designated portion of the highway, including the site where the offense occurred. Provides that the Secretary of Transportation shall adopt rules to implement the Illinois Adopt-A-Highway Act provision.

House Amendment No. 1

Provides that the provisions apply to an individual (rather than to a person) who violates the Litter Control Act. Provides that the agency having jurisdiction over the portion of the highway where the offense occurred shall determine whether the designated portion of the highway over which litter control is to be maintained shall include the site where the offense occurred. Deletes language providing that the Department of Transportation shall adopt rules for implementing the Adopt-A-Highway Act provision.

Jun 02 06 H Sent to the Governor

HB 04461 Rep. JoAnn D. Osmond-Ruth Munson-Sandra M. Pihos and Harry Osterman
(Sen. Don Harmon-William E. Peterson-Pamela J. Althoff-Christine Radogno-Kimberly A. Lightford and John J. Millner)

20 ILCS 605/605-430 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that the Department of Commerce and Economic Opportunity shall conduct a study regarding the recruitment and training of masters-prepared nurses to serve as nursing school faculty. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill with changes. Provides that the Department may (instead of shall) conduct the study, subject to appropriation. Provides that the Department shall complete the study by July 1, 2007 (instead of December 31, 2006) subject to the availability of State funds. Effective immediately.

Jun 30 06 H Public Act 94-0970

HB 04462 Rep. Barbara Flynn Currie-Paul D. Froehlich-Sidney H. Mathias-Karen May-Jim Sacia, Rich Brauer, Dave Winters, Chapin Rose, Eddie Washington, William B. Black, Lovana Jones, Kenneth Dunkin, Dan Reitz, Shane Cultra, Joseph M. Lyons, Jim Watson, Harry Osterman, Jack D. Franks, Linda Chapa LaVia and Donald L. Moffitt
(Sen. Deanna Demuzio)

415 ILCS 60/12.5 new

415 ILCS 60/14 from Ch. 5, par. 814

Amends the Illinois Pesticide Act. Prohibits the sale of a Restricted Use Pesticide over an Internet website to an Illinois resident who is not a Licensed Operator under the Illinois Pesticide Act registered with the Department. Provides that a person who sells a Restricted Use Pesticide on an Internet website to an Illinois resident who is not a Licensed Operator is subject to the penalty provisions of the Act.

House Amendment No. 1

Deletes reference to:

415 ILCS 60/12.5 new

Deletes everything after the enacting clause. Provides that it is unlawful under the Illinois Pesticide Act to sell any pesticide labelled for restricted use over an Internet website to an Illinois resident who is not a certified pesticide applicator.

May 12 06 H Public Act 94-0758

HB 04463 Rep. James H. Meyer, Harry R. Ramey, Jr., Dan Brady, Rich Brauer, Elizabeth Coulson, Ruth Munson, Raymond Poe, Jim Sacia, Ronald A. Wait and Mike Bost
(Sen. Kirk W. Dillard)

40 ILCS 5/20-109 from Ch. 108 1/2, par. 20-109

30 ILCS 805/8.30 new

Amends the Retirement Systems Reciprocal Act of the Illinois Pension Code. In the definition of "pension credit", provides that the one-year limitation does not apply to credits and equities in the Illinois Municipal Retirement Fund for contributions, earnings, or service as a teacher aide for transfer of those credits and equities to the Teachers' Retirement System of the State of Illinois. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Retirement Systems Reciprocal Act of the Illinois Pension Code. In the definition of "pension credit", provides that the one-year limitation does not apply to persons who move from participation with a school district as a teacher aide under the Illinois Municipal Retirement Fund Article to participation under the Downstate Teacher Article of the Code. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Jun 06 06 H Public Act 94-0834

HB 04519 Rep. Karen A. Yarbrough-Sidney H. Mathias-Paul D. Froehlich, Shane Cultra and Deborah L. Graham
(Sen. Iris Y. Martinez-Jacqueline Y. Collins and Cheryl Axley-Dan Rutherford-Mattie Hunter)

765 ILCS 910/15

Amends the Mortgage Escrow Account Act. In a Section concerning a mortgage lender providing notice of tax payments, provides that notice to a borrower must be on at least an annual basis.

Jun 20 06 H Public Act 94-0883

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04527 Rep. Jay C. Hoffman-Dan Brady-Chapin Rose-Jim Sacia
 (Sen. James F. Clayborne, Jr.)

55 ILCS 5/5-1101 from Ch. 34, par. 5-1101

Amends the Counties Code. Provides that the \$10 fee that a county may impose on each defendant on a judgment of guilty or a grant of supervision may be used to finance the county drug court, the county mental health court, or both (instead of the county mental health court only). Effective immediately.

Jun 16 06 H Public Act 94-0862

HB 04541 Rep. Monique D. Davis-Michael P. McAuliffe-John D'Amico-Joseph M. Lyons
 (Sen. Iris Y. Martinez)

40 ILCS 5/17-106.1

Amends the Chicago Teacher Article of the Illinois Pension Code. Adds to the definition of "administrator", a member who is not on the Chicago teachers' salary schedule. Effective immediately.

House Amendment No. 1

Replaces everything after the enacting clause with the bill as introduced with the following change: adds to the definition of "administrator", a member who is not on the Chicago charter school teachers' salary schedule and a member who is paid on an administrative payroll. Effective immediately.

Jun 23 06 H Public Act 94-0912

HB 04559 Rep. Ron Stephens-Raymond Poe-William B. Black-Jim Watson-Bill Mitchell, Brandon W. Phelps and Kurt M. Granberg
 (Sen. Frank C. Watson-Mike Jacobs-Arthur J. Wilhelmi, Larry K. Bomke and Deanna Demuzio)

730 ILCS 5/3-7-2a from Ch. 38, par. 1003-7-2a

Amends the Unified Code of Corrections. Provides that if a facility of the Department of Corrections maintains a commissary or commissaries serving employees of the Department, the selling price for all goods shall be sufficient to cover the costs of the goods and an additional charge of from 3% to 10%. Effective immediately.

House Amendment No. 1

Provides that the additional charge for commissary goods shall be up to 10% (rather than from 3% to 10%).

Jun 23 06 H Public Act 94-0913

HB 04606 Rep. Maria Antonia Berrios-Susana A Mendoza-Michelle Chavez-Sara Feigenholtz-Lisa M. Dugan, Mike Boland, Cynthia Soto, William Delgado, Kathleen A. Ryg, Jack D. Franks and Linda Chapa LaVia
 (Sen. Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter)

720 ILCS 5/3-6 from Ch. 38, par. 3-6

Amends the Criminal Code of 1961. Eliminates the requirement that the victim of criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse must report the offense to law enforcement authorities within 2 years after the commission of the offense in order for the 10 year statute of limitations to apply. Provides that a prosecution for any offense involving sexual conduct or sexual penetration where the defendant was within a professional or fiduciary relationship or a purported professional or fiduciary relationship with the victim at the time of the commission of the offense may be commenced within one year after the discovery of the offense by the victim if the statute of limitations would have otherwise expired before that one year period.

Senate Committee Amendment No. 1

Deletes the substance of the bill. Provides that a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 (rather than 2) years after the commission of the offense.

Jul 03 06 H Public Act 94-0990

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04649 Rep. Jack D. Franks-Patricia R. Bellock-William B. Black, Michael Tryon, Linda Chapa LaVia, Mary E. Flowers, Robert W. Pritchard, Patricia Reid Lindner, Susana A Mendoza, Michelle Chavez, Maria Antonia Berrios, Naomi D. Jakobsson, Robert F. Flider, Brandon W. Phelps, John E. Bradley and Eddie Washington
(Sen. John J. Millner-Pamela J. Althoff and Kirk W. Dillard-Cheryl Axley)

725 ILCS 5/110-5.1 new

Amends the Code of Criminal Procedure of 1963. Requires a person charged with committing a violent crime against a family or household member to appear before the court for the setting of bail if specified conditions are met. Requires a court to consider enumerated factors in setting bail for a person who is charged with committing a violent crime against a family or household member and who is required to appear before the court for the setting of bail. Provides that a court may permit a person who is charged with committing a violent crime against a family or household member and who is required to appear before the court for the setting of bail to appear by video conferencing equipment. Authorizes the court to waive the appearance for the setting of bail of a person who is charged with committing a misdemeanor offense of violence against a family or household member and to set bail in accordance with specified criteria.

Jun 19 06 H Public Act 94-0878

HB 04657 Rep. Kenneth Dunkin, Joseph M. Lyons and Paul D. Froehlich
(Sen. Antonio Munoz)

625 ILCS 5/3-704 from Ch. 95 1/2, par. 3-704

Amends the Illinois Vehicle Code. Provides that the Secretary of State may revoke or suspend the registration of a vehicle if the Secretary determines that the owner of the vehicle is in violation of the Federal Motor Carrier Safety Regulations. Effective immediately.

House Amendment No. 1

Provides that the Secretary may revoke or suspend the registration of a vehicle when the Secretary is notified by the United States Department of Transportation that the vehicle is in violation of the Federal Motor Carrier Safety Regulations and is prohibited from operating (rather than when the Secretary determines that the owner of the vehicle is in violation of the regulations).

May 12 06 H Public Act 94-0759

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04676 Rep. Julie Hamos-John A. Fritchey-Kevin Joyce-Deborah L. Graham-Karen A. Yarbrough, Monique D. Davis, Karen May, Cynthia Soto, Robin Kelly, David E. Miller, Jack McGuire, Patrick J Verschoore, Mary E. Flowers, Jack D. Franks, Linda Chapa LaVia, Naomi D. Jakobsson, John E. Bradley, Charles E. Jefferson, Careen M Gordon, Brandon W. Phelps, Robert F. Flider, Kurt M. Granberg, Daniel V. Beiser, Mike Boland, Michelle Chavez, Maria Antonia Berrios and Esther Golar

(Sen. Mattie Hunter, John J. Cullerton-Iris Y. Martinez-M. Maggie Crotty-Jacqueline Y. Collins-Edward D. Maloney, Ira I. Silverstein, William R. Haine and Martin A. Sandoval)

320 ILCS 20/2 from Ch. 23, par. 6602

320 ILCS 20/3 from Ch. 23, par. 6603

320 ILCS 20/3.5

320 ILCS 20/4 from Ch. 23, par. 6604

320 ILCS 20/4.2

320 ILCS 20/5 from Ch. 23, par. 6605

320 ILCS 20/8 from Ch. 23, par. 6608

320 ILCS 20/9 from Ch. 23, par. 6609

320 ILCS 20/13

Amends the Elder Abuse and Neglect Act. Provides that a "domestic living situation" includes an assisted living or shared housing establishment or a supportive living facility. Provides that an "eligible adult" includes one who neglects himself or herself, and adds a definition of "self-neglect". Provides for immunity from criminal or civil liability and from professional disciplinary action for a mandated reporter who does not make a report of self-neglect as required under the Act. Provides that face-to-face assessments, casework, and follow-up of reports of self-neglect by the provider agencies designated to receive reports of self-neglect shall be subject to sufficient appropriation for statewide implementation. Provides that the Department on Aging shall collaborate with representatives of regional administrative agencies and others to develop a protocol that outlines the procedure for referral of cases involving elder abuse, neglect, financial exploitation, and self-neglect and other matters, and makes other changes in connection with investigations of reports under the Act. Provides for access to records by staff of the Chicago Department on Aging while that agency is designated as a regional administrative agency. Makes other changes.

House Amendment No. 1

Deletes reference to:

320 ILCS 20/4.2

Provides that nothing in the Elder Abuse and Neglect Act shall be construed to mean that an eligible adult is a victim of self-neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone. In the definitions of "neglect" and "self-neglect", changes "medical care" to "health care". Deletes references to self-neglect from provisions concerning mandated reporters. Provides for a designated elder abuse provider agency's referral of reports of self-neglect to the appropriate agency or agencies as designated by the Department on Aging for any follow-up (instead of to the designated case management agency for any appropriate follow-up). Provides that the Department on Aging's protocol shall include the procedure for data collection of incidents of self-neglect.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause with provisions substantially similar to those of the engrossed bill, amending the Elder Abuse and Neglect Act, but with changes that include the following: (1) provides that by January 1, 2008, the Department on Aging, in cooperation with an Elder Self-Neglect Steering Committee, shall by rule develop protocols, procedures, and policies concerning certain matters in connection with elder self-neglect; (2) provides that certain actions of provider agencies shall be done in accord with established law and Department on Aging protocols, procedures, and policies; (3) deletes provisions concerning (i) Department on Aging collaboration with certain entities to develop a protocol, (ii) the taking of photographs, videotapes, and digital or electronic recordings in connection with an investigation, and (iii) a provider agency's petition for a subpoena to obtain records; (4) provides for access to records, in cases regarding self-neglect, by a guardian ad litem; and (5) adds a January 1, 2007 effective date. Effective January 1, 2007.

Senate Floor Amendment No. 2

Provides that if a court enters an ex parte order for an assessment of a report of alleged or suspected self-neglect, or for the provision of necessary services in connection with alleged or suspected self-neglect, or for both, the court must appoint a guardian ad litem (GAL) for the eligible adult who is the subject of the order for the purpose of reviewing the reasonableness of the order. Provides that if the GAL reasonably believes that the ex parte order is unreasonable, the GAL shall file a petition with the court requesting that the ex parte order be vacated.

Jun 02 06 H Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04688 Rep. Milton Patterson-Lovana Jones-Marlow H. Colvin-Constance A. Howard, Michelle Chavez, Charles E. Jefferson, Linda Chapa LaVia, Daniel V. Beiser, William Davis, Arthur L. Turner, Wyvetter H. Younge, Kenneth Dunkin, Maria Antonia Berrios, Monique D. Davis and Deborah L. Graham
 (Sen. Jacqueline Y. Collins-Kwame Raoul-Don Harmon-Donne E. Trotter, Mattie Hunter, James F. Clayborne, Jr., Carol Ronen and Kimberly A. Lightford)

720 ILCS 5/17-29

Amends the Criminal Code of 1961. Provides that an individual or entity that knowingly obtains, or knowingly assists another to obtain, a subcontract or written commitment for a subcontract under a contract with a governmental unit, by falsely representing that the individual or entity, or the individual or entity assisted, is a minority owned business, female owned business, or business owned by a person with a disability is guilty of a Class 2 felony. Effective immediately.

Jun 16 06 H Public Act 94-0863

HB 04699 Rep. Robert Rita
 (Sen. Cheryl Axley-Louis S. Viverito)

605 ILCS 5/6-130 from Ch. 121, par. 6-130

Amends the Illinois Highway Code. Provides that the roads forming a part of a township road district include those roads maintained by the district, regardless of whether or not those roads are owned by the township. Effective immediately.

Jun 20 06 H Public Act 94-0884

HB 04703 Rep. Linda Chapa LaVia-Lisa M. Dugan, Mike Boland, Sara Feigenholtz, Careen M Gordon, Brandon W. Phelps, Keith P. Sommer, Michael Tryon, Jack D. Franks, Daniel V. Beiser, Robin Kelly, Kathleen A. Ryg, Donald L. Moffitt, Wyvetter H. Younge, Annazette Collins, Karen A. Yarbrough, Gary Hannig, Naomi D. Jakobsson, Patrick J. Verschoore, Jack McGuire and Charles E. Jefferson
 (Sen. Don Harmon and James T. Meeks)

65 ILCS 5/11-117-12.2

215 ILCS 5/224.05

220 ILCS 5/8-201.5

815 ILCS 205/4.05

815 ILCS 633/20 new

815 ILCS 636/37

Amends the Illinois Municipal Code; provides that a municipality that violates provisions prohibiting the stoppage of gas or electricity in connection with a service member who is on active duty is subject to a civil penalty of \$10,000. Amends the Illinois Insurance Code; provides that an insurance company that violates provisions prohibiting the lapse or forfeiture of a life insurance policy insuring the life of a service member who is on active duty is subject to a civil penalty of \$10,000. Amends the Public Utilities Act; provides that a gas or electric company or electric cooperative that violates provisions prohibiting the stoppage of gas or electricity in connection with a service member who is on active duty is subject to a civil penalty of \$10,000. Amends the Interest Act; provides that a creditor who violates provisions limiting the interest rate that may be imposed on a service member who is on active duty is subject to a civil penalty of \$10,000. Amends the Military Personnel Cellular Phone Contract Termination Act; provides that a cellular telephone company that violates provisions authorizing termination of a cellular phone contract in the case of a service member who is on active duty is subject to a civil penalty of \$10,000. Amends the Motor Vehicle Leasing Act; provides that a lessor who violates provisions authorizing termination of a lease in the case of a service member who is on active duty is subject to a civil penalty of \$10,000. In each case, authorizes the Attorney General to impose the civil penalty after an administrative hearing and to enforce collection of any civil penalty imposed. Provides that the proceeds from the collection of any such civil penalty shall be deposited into the Illinois Military Family Relief Fund. Effective immediately.

House Amendment No. 1

In provisions amending the Illinois Municipal Code, the Illinois Insurance Code, the Public Utilities Act, the Interest Act, the Military Personnel Cellular Phone Contract Termination Act, and the Motor Vehicle Leasing Act, changes the amount of the civil penalty for a violation of the military personnel civil relief provisions from \$10,000 to \$1,000. Provides that a municipality, utility company, or electric cooperative is subject to a civil penalty if it wilfully violates (instead of violates) the military personnel civil relief provisions.

May 26 06 H Public Act 94-0802

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04711 Rep. Linda Chapa LaVia-Michelle Chavez-Charles E. Jefferson-Maria Antonia Berrios-Susana A Mendoza, Jack D. Franks, Edward J. Acevedo, Michael Tryon, Mike Boland, Daniel J. Burke, Paul D. Froehlich, Cynthia Soto, William Delgado, Patrick J. Verschoore, Jack McGuire, Michael K. Smith and Monique D. Davis
 (Sen. Iris Y. Martinez-Don Harmon and Pamela J. Althoff-William E. Peterson)

720 ILCS 5/26-5

Amends the Criminal Code of 1961 relating to dog fighting. Increases the penalty for attending a dog fight from a Class C to a Class A misdemeanor. Provides that if a person under 13 years of age is present at any dog fight, the parent, legal guardian, or other person who is 18 years of age or older who brings that person under 13 years of age to that dog fight is guilty of a Class 4 felony for a first violation and a Class 3 felony for a second or subsequent violation. Increases various other penalties by one class for promoting, conducting, or advertising a dog fight or for selling a dog to be used in a dog fight. Provides that it is prima facie evidence of a violation of these provisions that the offender possessed any treadmill wheel, hot walker, or other paraphernalia, together with evidence that the paraphernalia is being used or intended for use in the unlawful training of a dog to fight with another dog, along with the possession of any such dog. Provides that a law enforcement agency shall obtain evidence of a violation of these provisions as the agency deems appropriate through videotape, written police reports, or observation of activities occurring on the property or at the residence of an offender and shall use this evidence to train peace officers in recognizing violations.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Criminal Code of 1961 relating to dog fighting. Reinserts the provisions of the bill with the following changes: (1) restores penalties that are in current law but retains the new penalties for attending a dog fight, soliciting a minor to violate the statute, and for a minor under 13 years of age being present at a dog fight and (2) changes the prima facie evidence provisions to a fact finder may infer a violation of the statute from the evidence.

Senate Committee Amendment No. 1

Replaces the new inference and evidence collecting provisions. Provides that a violation of the dog fighting statute may be inferred from evidence that the accused possessed any device or equipment specified in the statute and also possessed any dog. Provides that when no longer required for investigations or court proceedings relating to the events described or depicted therein, evidence relating to convictions for violations of the dog fighting statute shall be retained and made available for use in training peace officers in detecting and identifying violations of the dog fighting statute. Provides that such evidence shall be made available upon request to other law enforcement agencies and to schools certified under the Illinois Police Training Act.

May 31 06 H Public Act 94-0820

HB 04714 Rep. Wyvetter H. Younge-Dan Reitz-Thomas Holbrook
 (Sen. James F. Clayborne, Jr.)

415 ILCS 5/3.330 was 415 ILCS 5/3.32

Amends the Environmental Protection Act. Provides that processing sites or facilities that receive only on-specification used oil originating from used oil collectors for processing to produce products for sale to off-site petroleum facilities are not pollution control facilities under the Environmental Protection Act if these sites or facilities are: (i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 census, that home rule unit of local government has been designated as an Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements. Effective immediately.

Fiscal Note (Illinois Environmental Protection Agency)

No fiscal impact

Jun 02 06 H Public Act 94-0824

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04715 Rep. Robin Kelly-Karen A. Yarbrough-Lisa M. Dugan-Sara Feigenholtz-Harry Osterman, Barbara Flynn Currie, Naomi D. Jakobsson, Careen M Gordon, Milton Patterson, David E. Miller, Daniel V. Beiser, Wyvetter H. Younge, William Davis, Arthur L. Turner, Kenneth Dunkin, Annazette Collins, Elaine Nekritz, Julie Hamos, Deborah L. Graham, Marlow H. Colvin, Esther Golar and Charles E. Jefferson
 (Sen. Kwame Raoul-Jacqueline Y. Collins, Carol Ronen-Iris Y. Martinez and Mike Jacobs)

New Act

Creates the Safe Homes Act. Provides that a victim of domestic violence or sexual violence has certain rights with respect to the victim's dwelling unit. Provides that, depending upon the circumstances, the victim can obtain relief that includes: requiring that the landlord change the locks, allowing the victim to change the locks if the landlord does not act, terminating the lease, and imposing penalties on a landlord for certain violations. Provides definitions. Places obligations on landlords, tenants, and perpetrators of domestic or sexual violence. Effective immediately.

House Amendment No. 1

Deletes everything and re-inserts provisions creating the Safe Homes Act, with these changes and additions: Adds findings. Adds and changes definitions. Adds certain definitions that apply only to public housing, makes various provisions of the Act applicable to public housing tenants, excludes public housing from the application of various provisions of the Act, and provides that public housing authorities have no obligation to provide certain remedies. Makes various changes regarding nondiscrimination, changing locks, early termination of leases, the right to possession, the right to vacate, and other matters. Provides that, if a court finds that a violation of the Act occurred or is about to occur by an act or omission of the landlord, the court may award to the plaintiff actual damages, attorney's fees, costs, and injunctive and other appropriate relief. Effective immediately.

House Amendment No. 2

Deletes everything after the enacting clause. Reinserts provisions similar to those of House Amendment No. 1, creating the Safe Homes Act, but with changes that include the following: (1) provides that the Act does not apply to public housing, and deletes provisions concerning public housing only; (2) deletes provisions concerning victim protection and nondiscrimination; (3) revises provisions concerning circumstances under which a protected tenant may change the locks on a dwelling unit or terminate the rental agreement early, according to whether the perpetrator of the domestic or sexual violence is a leaseholder; and (4) deletes provisions concerning a non-leaseholder victim's right of possession and a protected tenant's right to vacate following domestic or sexual violence. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Creates the Safe Homes Act. Provides purposes of the Act. Provides definitions of "domestic violence", "landlord", "sexual violence", and "tenant". Provides that in an action by a landlord against a tenant for rent, the tenant has an affirmative defense and is not be liable for rent if the court finds, by a preponderance of the evidence that (i) at the time the tenant vacated the premises, the tenant or a member of tenant's household was under a credible imminent threat of domestic or sexual violence at the premises, and (ii) the tenant gave notice to the landlord prior to or within 3 days of vacating that the reason for vacating was a credible imminent threat of domestic or sexual violence against the tenant or a member of the tenant's household. Provides in an action by a landlord against a tenant to recover rent for breach of lease, a tenant has an affirmative defense and is not liable for rent if the court finds by a preponderance of the evidence that (i) tenant or a member of tenant's household was a victim of sexual violence on the premises and the tenant vacated the premises because of the sexual violence; (ii) the tenant gave written notice to the landlord prior to or within 3 days of vacating the premises that the sexual violence was the reason for vacating the premises; (iii) the tenant provided evidence to the landlord supporting the claim of the sexual violence; and (iv) the sexual violence occurred not more than 30 days prior to the date of the written notice to the landlord. Provides that the Act is not a defense against an action for rent for a period of time before the tenant vacated the landlord's premises. Provides procedure as to when locks can be changed by a tenant and when a landlord has a duty to change the locks. Provides that the tenant may seek injunctive relief ordering the landlord to allow the tenant to change the locks. Provides that a tenant who changes locks without giving a copy to the landlord within 48 hours is liable for any damages to the dwelling or building that could have been prevented had landlord had access. Provides that there can be no waiver or modification of the Act's requirements by any agreement. Provides that public housing is excluded.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts provisions similar to those of Senate Amendment No. 1 with the following changes. In the definition of "sexual violence", includes "sexual abuse" (instead of "abuse") and "non-consensual sexual conduct" (instead of "non-consensual conduct"). Redefines "tenant" as a person who has entered into an oral or written lease (instead of a written lease) with a landlord whereby the person is the lessee under the lease. Makes various changes to the tenant's affirmative defenses to a landlord's action for rent. Provides that the Act is not a defense against an action for rent for a period of time before the tenant gave the required notice and vacated the landlord's premises. Adds reasonable attorney's fees and costs to the relief available to a tenant who seeks injunctive relief against the landlord to get the locks changed. Provides that the Act does not apply to public housing assisted under the U.S. Housing Act of 1937, except for the tenant-based Housing Choice program, and that public housing includes dwelling units in mixed-finance projects assisted through a public housing authority's funds. Makes other changes. Effective immediately.

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04717 Rep. Randall M. Hultgren-Sidney H. Mathias
(Sen. John J. Millner-Cheryl Axley)

65 ILCS 5/1-2-1.2

625 ILCS 5/11-208.5

625 ILCS 5/16-102 from Ch. 95 1/2, par. 16-102

Amends the Illinois Municipal Code and the Illinois Vehicle Code. Provides that a municipality may charge an offender with a municipal misdemeanor offense for conduct that would constitute felony driving under the influence of alcohol, drugs, or intoxicating compounds, if the State's Attorney rejects or denies felony charges for that conduct. Effective immediately.

May 08 06 H Public Act 94-0740

HB 04719 Rep. Edward J. Acevedo-Richard T. Bradley-Terry R. Parke-Karen A. Yarbrough, Robert Rita, John D'Amico,
Monique D. Davis, Elizabeth Coulson, Marlow H. Colvin and Arthur L. Turner
(Sen. Antonio Munoz and Pamela J. Althoff)

815 ILCS 505/2XX new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for a person to advertise, represent or imply that any person can earn money working at home by stuffing envelopes, addressing envelopes, mailing circulars, clipping newspaper and magazine articles, assembling products, bill processing, or performing similar work, unless the person making the advertisement or representation meets all of the listed conditions. Effective immediately.

Fiscal Note (Office of the Attorney General)

Fiscal impact: No Impact.

Senate Floor Amendment No. 1

Requires a person who advertises, represents, or implies that a person can earn money working at home doing any of the listed activities to disclose all terms and conditions for earning any wage, salary, set fee, or commission. Provides that no person shall require an individual to solicit or induce other individuals to participate in a work-at-home program.

Jul 03 06 H Public Act 94-0999

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04726 Rep. Lovana Jones-Thomas Holbrook-Frank J. Mautino-Gary Hannig-Art Tenhouse, Constance A. Howard,
 Annazette Collins, Mary E. Flowers, Aaron Schock and David R. Leitch
 (Sen. Louis S. Viverito-Kwame Raoul)

225 ILCS 450/0.03 from Ch. 111, par. 5500.03

225 ILCS 450/6.1

225 ILCS 450/9.01

225 ILCS 450/14.3

225 ILCS 450/16 from Ch. 111, par. 5517

225 ILCS 450/20.01 from Ch. 111, par. 5521.01

225 ILCS 450/20.1 from Ch. 111, par. 5522

225 ILCS 450/27 from Ch. 111, par. 5533

Amends the Illinois Public Accounting Act. Defines "peer review program" as a review of compliance with professional standards of practice (now, generally accepted accounting principles and auditing standards and other generally accepted technical standards). Provides a definition of "Peer Review Administrator". Requires firms and sole practitioners providing accounting services under the Act to complete a peer review as a condition of renewing a license unless an exemption applies. Allows the Department of Financial and Professional Regulation to adopt rules. Provides penalties for failure to comply with remedial actions determined appropriate by the Peer Review Administrator. Requires the firm or sole practitioner to pay for the costs of the peer review. Provides that the peer review proceedings, records, reports, and other documents are privileged and provides exceptions to the privilege. Provides for the peer review year of combined or divided firms or sole practitioners. Makes other changes. Effective immediately.

House Amendment No. 1

Adds reference to:

225 ILCS 450/9.3 new

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced with the following changes.

Adds a provision authorizing and directing the Board of Examiners and the Department of Financial and Professional Regulation to share information with each other regarding those individuals and entities licensed or certified or applying for licensure or certification under the Illinois Public Accounting Act. Removes the provision concerning restrictions on information that may be obtained in any civil action, arbitration, or administrative proceeding. Effective immediately.

Fiscal Note (Dept. of Financial & Prof. Regulation)

It is difficult to estimate the potential cost since we cannot project the rate of noncompliance or the personnel and operational costs for hearings up to six years from the current date.

May 19 06 H Public Act 94-0779

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04727 Rep. Esther Golar-Edward J. Acevedo-William Delgado-Cynthia Soto, Lovana Jones and Susana A Mendoza
 (Sen. Antonio Munoz)

625 ILCS 5/18a-404 from Ch. 95 1/2, par. 18a-404

Amends the Illinois Vehicle Code. Provides that, in addition to the listed reasons for suspending or revoking the employment permit of a relocater operator or dispatcher, the Illinois Commerce Commission shall suspend or revoke the permit if the operator or dispatcher has otherwise demonstrated that he or she is unfit to hold the permit.

House Amendment No. 1

Deletes everything after the enacting clause. Provides that the Commission may (rather than shall) suspend or revoke the operator's or dispatcher's permit if, within the previous 5 years or any time after the permit was issued, he or she has been convicted of any felony or has violated any provision of the Illinois Commercial Relocation of Trespassing Vehicles Law, any Commission regulation or order, or any other law affecting public safety (rather than if he or she has otherwise demonstrated unfitness to hold the permit), and the operator or dispatcher does not make a compelling that he or she is nevertheless fit to hold a permit.

House Amendment No. 2

Deletes everything after the enacting clause. Provides that the Commission may (rather than shall) suspend or revoke the operator's or dispatcher's permit if, within the previous 5 years or any time after the permit was issued, he or she has violated any provision of the Illinois Commercial Relocation of Trespassing Vehicles Law, any Commission regulation or order, or any other law affecting public safety (rather than if he or she has otherwise demonstrated unfitness to hold the permit), and the operator or dispatcher does not make a compelling that he or she is nevertheless fit to hold a permit.

Senate Committee Amendment No. 1

Restores the current law relating to the suspension or revocation of operator's permits. Adds to the new provision relating to the revocation or suspension of an operator or dispatcher's permit for violating the provisions of the Illinois Commercial Relocation of Trespassing Vehicles Law or Commerce Commission regulations during the preceding 5 years that the permit will be revoked or suspended only if the holder does not make a compelling showing that he or she is fit to hold an operator's license.

Jun 21 06 H Public Act 94-0895

HB 04728 Rep. Jack McGuire-Patrick J Verschoore
 (Sen. Terry Link)

625 ILCS 5/18c-4401 from Ch. 95 1/2, par. 18c-4401

625 ILCS 5/18c-4603 from Ch. 95 1/2, par. 18c-4603

Amends the Illinois Vehicle Code. Amends the Illinois Commercial Transportation Law to provide that any interstate carrier that is required to register under federal law is required to register with the Illinois Commerce Commission.

May 12 06 H Public Act 94-0760

HB 04729 Rep. Gary Hannig-Thomas Holbrook-Jim Sacia and Jay C. Hoffman
 (Sen. Deanna Demuzio)

20 ILCS 1805/15 from Ch. 129, par. 220.15

Amends the Military Code of Illinois. Provides that the Assistant Adjutant General for Army and Assistant Adjutant General for Air appointed by the Commander-in-Chief shall be active officers of the Illinois National guard of a grade not to exceed Major General (now, with a grade of Brigadier General). Provides that Assistant Adjutants General shall serve with the compensation and responsibilities designated under the Act. Provides that the Commander-in-Chief may also appoint additional Assistant Adjutants General for Army and such additional Assistant Adjutants General for Air with the grades not to exceed those authorized for the positions in the Joint Force Headquarters of the Illinois National Guard.

Senate Committee Amendment No. 1 (Tabled 5-4-2006)

Deletes reference to:

20 ILCS 1805/15 from Ch. 129, par. 220.15

Adds reference to:

20 ILCS 1805/20 from Ch. 129, par. 220.20

Deletes everything after the enacting clause. Amends the Military Code of Illinois. Makes a technical change in a Section establishing the Department of Military Affairs.

Jun 08 06 H Public Act 94-0842

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04736 Rep. Susana A Mendoza-Thomas Holbrook-Jim Sacia-David R. Leitch-John A. Fritchey, Ruth Munson, Patricia R. Bellock, Aaron Schock, Kenneth Dunkin, Arthur L. Turner, William Davis, Wyvetter H. Younge, Sandra M. Pihos, William B. Black and Donald L. Moffitt
 (Sen. Jacqueline Y. Collins-Dan Rutherford-Todd Sieben-John J. Millner)

205 ILCS 690/5

Amends the Check Printer and Check Number Act. Provides that, as used in the Act, "financial institution" includes any federally chartered commercial bank, savings bank, savings and loan association, or credit union organized under the laws of the United States and operating in this State (now, organized and operated in this State under the laws of the United States). Effective immediately.

May 19 06 H Public Act 94-0780

HB 04760 Rep. Kathleen A. Ryg-Sidney H. Mathias-JoAnn D. Osmond-Eddie Washington-Karen May, Elaine Nekritz and Robert F. Flider
 (Sen. Terry Link-Adeline Jay Geo-Karis-William E. Peterson-Jacqueline Y. Collins)

765 ILCS 5/35c from Ch. 30, par. 34c

Amends the Conveyances Act. Provides that the signatures of all persons conveying an interest in real property shall be notarized on the instrument of conveyance.

House Amendment No. 1

Further amends the Conveyances Act. Replaces the term "notarized" with the term "acknowledged" in a provision requiring that the signatures of all parties making a conveyance be acknowledged before a notary public. Provides that an acknowledgment of the signature of any party making a conveyance can be made by a notary public or any officer or court identified in Section 20 of the Conveyances Act.

Jun 01 06 H Public Act 94-0821

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04768 Rep. John D'Amico-John A. Fritchey-Joseph M. Lyons-Paul D. Froehlich-Monique D. Davis, Jack D. Franks, Mary E. Flowers, Susana A. Mendoza, Arthur L. Turner, Dan Brady, Karen A. Yarbrough, Richard T. Bradley, Marlow H. Colvin, Robert Rita, William Delgado, Cynthia Soto, William B. Black and Naomi D. Jakobsson
 (Sen. John J. Cullerton, Dan Rutherford-Cheryl Axley and Ira I. Silverstein-Pamela J. Althoff-M. Maggie Crotty-Martin A. Sandoval)

625 ILCS 5/6-103 from Ch. 95 1/2, par. 6-103

625 ILCS 5/6-107 from Ch. 95 1/2, par. 6-107

625 ILCS 5/6-107.1

625 ILCS 5/6-107.4 new

625 ILCS 5/6-205 from Ch. 95 1/2, par. 6-205

625 ILCS 5/6-206 from Ch. 95 1/2, par. 6-206

625 ILCS 5/7-702.1

Amends the Illinois Vehicle Code. Provides that a driver's license may not be issued to a person under 18 years of age. Provides that an instruction permit may not be issued to a person under the age of 17 years. Increases from 16 to 18 years the minimum age for issuance of a restricted driving permit or a family financial responsibility driving permit. Makes corresponding changes in other provisions. Provides that the increases in the driving age do not invalidate any license or permit that was previously issued to a person under 18 years of age if the person complies, until his or her 18th birthday, with all requirements that previously applied to drivers under 18 years of age.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/6-103

Deletes reference to:

625 ILCS 5/6-107.1

Deletes reference to:

625 ILCS 5/6-107.4 new

Deletes reference to:

625 ILCS 5/6-205

Deletes reference to:

625 ILCS 5/6-206

Deletes reference to:

625 ILCS 5/7-702.1

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that any unemancipated minor's application for a graduated driver's license must be accompanied by the written consent of a parent or guardian, regardless of whether the required consent accompanied the minor's previous application for an instruction permit. Provides that a parent or guardian must certify that an unemancipated minor has received 50 (rather than 25) hours of behind-the-wheel instruction, at least 10 hours of which must have been at night, in order for the minor to receive a graduated driver's license.

House Amendment No. 2

Adds an immediate effective date.

Jun 22 06 H Public Act 94-0897

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04782 Rep. Elaine Nekritz-Eddie Washington-Paul D. Froehlich-Karen May-Cynthia Soto, Julie Hamos, Lou Lang, Linda Chapa LaVia, Sidney H. Mathias, Dave Winters, Kathleen A. Ryg, Bob Biggins, John A. Fritchey, Sandra M. Pihos, Roger Jenisch and Randall M. Hultgren
(Sen. Jeffrey M. Schoenberg, Jacqueline Y. Collins-James A. DeLeo-Kwame Raoul-Carol Ronen, Mattie Hunter, Susan Garrett, Ira I. Silverstein, Edward D. Maloney, M. Maggie Crotty-Chris Lauzen, Don Harmon and Dan Cronin)

625 ILCS 5/11-1429 new

Amends the Illinois Vehicle Code. Provides that a vehicle using diesel fuel with a Gross Vehicle Weight Rating of more than 8,000 pounds may not have its engine idling for more than 5 minutes within any 60 minute period. Creates exemptions. Provides that a person who operates a vehicle in violation of the provision is guilty of a petty offense punishable by a fine of \$50 for a first offense and \$150 for a second or subsequent offense within any 12 month period.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with changes. Provides that the provision applies only in specified counties and townships. Adds an effective date of July 1, 2006.

House Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the amended bill, with changes. Deletes one of the townships to which the provision applies. Provides that the vehicles may idle for no more than 10 (rather than 5) minutes during any 60 minute period. Effective July 1, 2006.

Jun 09 06 H Public Act 94-0845

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04785 Rep. James D. Brosnahan-Lee A. Daniels-Kevin Joyce-Michael K. Smith-Thomas Holbrook, Joseph M. Lyons, Kevin A. McCarthy, Richard T. Bradley, Michelle Chavez, Maria Antonia Berrios, Robert Rita, Susana A Mendoza, Robert S. Molaro, Karen A. Yarbrough, Gary Hannig, Patrick J Verschoore, Jack McGuire, Larry McKeon, Kurt M. Granberg, Mary E. Flowers, Jack D. Franks, Linda Chapa LaVia, Harry Osterman and Charles E. Jefferson
 (Sen. Edward D. Maloney-Jacqueline Y. Collins-Mattie Hunter, Kimberly A. Lightford and Don Harmon)

55 ILCS 5/3-3013 from Ch. 34, par. 3-3013

55 ILCS 5/3-3020 from Ch. 34, par. 3-3020

210 ILCS 28/85 rep.

210 ILCS 45/2-110 from Ch. 111 1/2, par. 4152-110

210 ILCS 45/2-201.5

210 ILCS 45/2-201.6 new

210 ILCS 45/2-208 from Ch. 111 1/2, par. 4152-208

210 ILCS 45/2-216

210 ILCS 45/3-202.3 rep.

210 ILCS 45/3-202.4 rep.

730 ILCS 110/12 from Ch. 38, par. 204-4

Amends the Counties Code, the Abuse Prevention Review Team Act, the Nursing Home Care Act, and the Probation and Probation Officers Act. Provides that all deaths in licensed long-term care facilities and all deaths in hospitals in cases in which the deceased had been transferred to the hospital from a long-term care facility within the preceding 5 days must be reported to the coroner of the county in which the facility is located; requires that the coroner be notified immediately (instead of promptly) in the case of certain deaths. Repeals a provision repealing the Abuse Prevention Review Team Act on July 1, 2006. Requires a nursing home to request a criminal history background check on all residents; requires a nursing home to fax a resident's name and criminal history information to the Department of Public Health if the resident is an identified offender. Requires the Department of Public Health to conduct an Identified Offender Risk Analysis with respect to a nursing home resident who is an identified offender. Authorizes the Director of Public Health to waive certain requirements concerning notice to nursing home residents, employees, and visitors that an identified offender is a resident of the nursing home. Deletes a requirement that a probation officer provide copies of certain reports to certain facilities and State agencies. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

55 ILCS 5/3-3013

Deletes reference to:

55 ILCS 5/3-3020

Deletes reference to:

210 ILCS 45/2-208

Adds reference to:

210 ILCS 45/3-402

from Ch. 111 1/2, par. 4153-402

Replaces everything after the enacting clause with provisions substantially similar to those of House Bill 4785, amending the Abuse Prevention Review Team Act, the Nursing Home Care Act, and the Probation and Probation Officers Act, but with changes that include the following: (1) omits changes to the Counties Code and the Nursing Home Care Act concerning reports of nursing home resident deaths to the coroner; (2) sets forth procedures for conducting nursing home preadmission criminal history background checks; (3) changes "Identified Offender Risk Analysis" to "Criminal History Analysis", and requires the Department of Public Health to complete an analysis as soon as practicable, but not later than 14 days (instead of within 10 days) after receiving notice from a nursing home; (4) adds items to be included in a Criminal History Analysis; (5) provides that if, based on the Criminal History Analysis Report, a nursing home determines that it cannot manage an identified offender resident, it must commence involuntary transfer or discharge proceedings (instead of contact the Department of Public Health to locate an alternative facility); (6) provides for immunity from civil and criminal liability for any person authorized to participate in the development of a Criminal History Analysis or Criminal History Analysis Report; and (7) replaces provisions concerning notice to nursing home residents and employees in connection with identified offenders. Effective immediately.

House Amendment No. 2

Deletes reference to:

210 ILCS 45/3-402

HB 04785 (CONTINUED)

Replaces everything after the enacting clause. Reinserts the provisions of House Amendment No. 1, with changes that include the following: (1) in provisions concerning criminal history background checks for persons seeking admission to a nursing home, (A) creates an exception for long term care for under age 22 facilities, (B) provides that "the facility" shall initiate a fingerprint-based check, (C) provides for a waiver of the fingerprint-based check requirement if a resident meets other criteria related to the resident's health or lack of potential risk which may be established by Department of Public Health rule, (D) adds provisions concerning procedures for conducting fingerprint-based checks, and (E) provides for fingerprint-based checks in the case of persons who are nursing home residents on the effective date of this amendatory Act; (2) deletes references to the URLs for the State Police and Department of Corrections websites; and (3) deletes amendatory provisions concerning involuntary transfer or discharge of nursing home residents. Effective immediately.

May 10 06 H Public Act 94-0752

HB 04788 Rep. William Davis-Sara Feigenholtz-Julie Hamos-Cynthia Soto-Michelle Chavez, Maria Antonia Berrios, Susana A Mendoza and Patricia R. Bellock
(Sen. Kimberly A. Lightford-Jacqueline Y. Collins)

305 ILCS 5/10-17.12 new

Amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services may provide by rule for compromise of child support arrearages and interest accrued on child support arrearages assigned to the State under the Code. Provides that the rule shall establish the circumstances under which such obligations may be compromised, with due regard for the payment ability of low-income obligors and the importance of encouraging payment of current child support obligations.

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code with provisions similar to those of House Bill 4788, except provides that the Department of Healthcare and Family Services may provide by rule for compromise of debt owed to the State in the form of child support arrearages and accrued interest (instead of compromise of child support arrearages and accrued interest).

Senate Floor Amendment No. 1

Provides that the rule to be adopted by the Department of Healthcare and Family Services in connection with compromise of debt owed to the State in the form of assigned child support arrearages shall provide that assigned obligations shall be compromised only in exchange for regular payment of support owed to the family and shall require that obligors considered for debt compromise demonstrate inability to pay during the time the assigned obligation accumulated. Provides that the rule shall provide for nullification of any compromise agreement and the prohibition of any future compromise agreement if the obligor fails to adhere to the compromise agreement. Provides that the rule shall establish debt compromise criteria calculated to maximize positive effects on families and the level of federal incentive payments payable to the State under the Social Security Act.

Jun 30 06 H Public Act 94-0971

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04789 Rep. Robert F. Flider-Brent Hassert-Sidney H. Mathias-Daniel V. Beiser-Mike Boland, Brandon W. Phelps, Naomi D. Jakobsson, Robert Rita, Linda Chapa LaVia, Jack D. Franks, Lisa M. Dugan, Careen M Gordon, Jack McGuire, Thomas Holbrook, Michael K. Smith, Kevin Joyce, Eddie Washington, John D'Amico, Paul D. Froehlich, Michelle Chavez, Charles E. Jefferson, Gary Hannig, Annazette Collins, Karen A. Yarbrough, Kurt M. Granberg, Terry R. Parke, Suzanne Bassi, Randall M. Hultgren, Elizabeth Coulson, Roger L. Eddy, Ruth Munson, Aaron Schock, Ronald A. Wait, Chapin Rose, Sandra M. Pihos, Sara Feigenholtz, John E. Bradley, Harry Osterman, Esther Golar, Robert S. Molaro and Kathleen A. Ryg
(Sen. Don Harmon-Deanna Demuzio-Arthur J. Wilhelmi, Edward D. Maloney-Chris Lauzen, Jacqueline Y. Collins, Jeffrey M. Schoenberg, M. Maggie Crotty, Debbie DeFrancesco Halvorson, Mattie Hunter, Susan Garrett, Carol Ronen, Mike Jacobs, Ira I. Silverstein and Terry Link)

35 ILCS 200/15-170

35 ILCS 200/15-172

320 ILCS 30/2 from Ch. 67 1/2, par. 452

30 ILCS 805/8.30 new

Amends the Property Tax Code. Re-enacts the Senior Citizens Assessment Freeze Homestead Exemption. The exemption was created by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Includes validation provisions. Increases the maximum reduction for the Senior Citizens Homestead Exemption from \$3,000 to \$3,500 for taxable years 2006 and thereafter. Increases the maximum income limitation in the Senior Citizens Assessment Freeze Homestead Exemption from \$45,000 to \$50,000 for taxable years 2006 and thereafter. Amends the Senior Citizens Real Estate Tax Deferral Act. Increases the maximum income limitation under the Act from \$40,000 to \$45,000 for taxable years 2006 and thereafter. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Housing Affordability Impact Note (Housing Development Authority)

While the increased income limits will help more Illinois seniors decrease the cost of owning a single family residence, there is insufficient information to calculate an exact dollar amount due to varying property tax rates and assessed valuations.

Fiscal Note (Dept. of Revenue)

There are approximately 698,000 properties with Senior Citizen Homestead Exemptions for 2005 taxes, payable in 2006. A \$500 increase from \$3,000 to \$3,500 would reduce the tax base by \$349 million statewide. At the statewide average property tax rate of 7.64%, those taxpayers would save \$26.7 million. Many counties, particularly those subject to PTELL, would be able to raise tax rates to offset any losses. However, in many counties, the increased exemption would reduce the rate of growth in property taxes. The increase from \$45,000 to \$50,000 in the income limit for the Senior Citizens Assessment Freeze Homestead Exemption would increase the number of eligible by an estimated 15,000 taxpayers, based on information from income tax returns. The first year impact would be minimal, but the loss would grow over time as an increased number of assessments were frozen. At current levels, the assessment freeze reduces taxes by approximately \$600 per taxpayer. The 15,000 additional eligible taxpayers would reduce local property taxes about \$9 million statewide. When the income limit for the Senior Citizens Real Estate Tax Deferral Act was increased from \$25,000 to \$40,000, the number of participants remained flat. Increasing the income limit from \$40,000 to \$45,000 is not expected to have noticeable effect on local governments.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes: In the Senior Citizens Assessment Freeze Homestead Exemption provisions, sets forth the amount of the exemption for which an applicant is eligible to receive based upon the applicant's household income. In the Senior Citizens Real Estate Tax Deferral Act, increases the maximum income limitation under the Act to \$50,000 (instead of \$45,000 as provided in the engrossed bill). Effective immediately.

May 22 06 H Public Act 94-0794

HB 04793 Rep. Frank J. Mautino-Jerry L. Mitchell
(Sen. Todd Sieben)

35 ILCS 200/21-45

Amends the Property Tax Code. Makes a technical change in a Section concerning issuance of a tax bill.

House Amendment No. 1

Deletes reference to:

35 ILCS 200/21-45

Adds reference to:

65 ILCS 5/11-74.4-3

from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7

from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that the redevelopment project in the TIF district created by an ordinance that was adopted on July 14, 1999 by the Village of Paw Paw must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

Jun 22 06 H Public Act 94-0903

HB 04822 Rep. Ron Stephens-Deborah L. Graham-Tom Cross, Jack D. Franks, Linda Chapa LaVia, Michelle Chavez, Charles E. Jefferson, John D'Amico, Jim Sacia, John A. Fritchey, Ronald A. Wait and Robert W. Pritchard
(Sen. William R. Haine-Arthur J. Wilhelmi, Pamela J. Althoff and John M. Sullivan)

775 ILCS 5/1-102

from Ch. 68, par. 1-102

775 ILCS 5/1-103

from Ch. 68, par. 1-103

Amends the Illinois Human Rights Act. Provides that discrimination against a person because of the person's veteran status (status as a person who served on active duty as a member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Illinois Army National Guard or Illinois Air National Guard and who was discharged with other than a dishonorable discharge) constitutes unlawful discrimination under the Act. Effective immediately.

House Amendment No. 1

Deletes reference to:

775 ILCS 5/1-102

Deletes everything after the enacting clause. Amends the Illinois Human Rights Act. Changes the definition of "military status" to include status as a veteran of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Illinois Army National Guard or Illinois Air National Guard (existing law defines "military status" as status on active duty as a member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Illinois Army National Guard or Illinois Air National Guard). Defines "veteran". Effective immediately.

House Amendment No. 2

Deletes everything after the enacting clause. Makes changes similar to those in House Amendment No. 1, except that the definition of "veteran" is not included. Effective immediately.

May 26 06 H Public Act 94-0803

HB 04829 Rep. William Delgado
(Sen. Iris Y. Martinez-John J. Cullerton-Mattie Hunter)

775 ILCS 5/7B-102 from Ch. 68, par. 7B-102

Amends the Illinois Human Rights Act. Provides that the failure of the Department of Human Rights to complete its investigation of a charge alleging a violation of the Real Estate Transactions Article within 100 days after the proper filing of the charge is not jurisdictional.

House Amendment No. 1

Deletes everything after the enacting clause. Amends provisions of the Illinois Human Rights Act regarding charges alleging violations of the Real Estate Transactions Article. In provisions requiring, within 100 days after the proper filing of a charge, the Department of Human Rights to complete its investigation and file a complaint or order that no complaint be issued and the Director of Human Rights to determine whether there is substantial evidence that a violation has been committed, provides that the failure to do so within 100 days after the proper filing of a charge does not deprive the Department of jurisdiction over the charge. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

775 ILCS 5/7A-102 from Ch. 68, par. 7A-102

Amends the Illinois Human Rights Act. Provides that: a charge filed with the Equal Employment Opportunity Commission within 180 days after the date of the alleged civil rights violation shall be deemed filed with the Department of Human Rights; upon receipt of a charge filed with the EEOC, the Department shall notify the complainant that the complainant may proceed with the Department and the complainant must notify the Department of his or her decision in writing within 35 days of receipt of the Department's notice and the Department shall close the case if the complainant does not do so; if the complainant proceeds with the Department, the Department shall take no action until the EEOC makes a determination on the charge; the Department shall cause the charge to be filed upon receipt of the EEOC's determination; at the Department's discretion, the Department shall either adopt the EEOC's determination or process the charge under the Act; and adoption of the EEOC's determination shall be deemed a determination by the Department. Effective immediately.

Jun 10 06 H Public Act 94-0857

HB 04832 Rep. Robert F. Flider-Carolyn H. Krause-Elaine Nekritz-Monique D. Davis-Sidney H. Mathias, Robert S. Molaro and Suzanne Bassi
(Sen. Frank C. Watson-Wendell E. Jones-Cheryl Axley and Pamela J. Althoff)

New Act

Creates the Community Education Act to support community service education programs, which educate students about the value of civic involvement through actual school-sponsored involvement in their communities. Creates the Community Education Program, administered by the State Board of Education. Allows a school district to establish a community education program. With respect to a school district community education program, contains provisions concerning local input, a Director of Community Education, the non-duplication of programs, community education consortiums, partnership agreements, funding, and grants. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Changes the short title of the Act to the Community Service Education Act, and changes references from community education to community service education. Provides that a school district may establish and operate a community service education program that qualifies for a grant from the State Board of Education by complying with the provisions of the Act and rules (instead of allowing a school district to establish and operate a program in accordance with the provisions of the Act); makes related changes. Effective immediately.

Jun 22 06 H Public Act 94-0904

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04835 Rep. Angelo Saviano-Paul D. Froehlich-Sidney H. Mathias-Karen A. Yarbrough, Bob Biggins, Harry R. Ramey, Jr., Jack D. Franks, Linda Chapa LaVia and Jim Durkin
(Sen. John J. Cullerton-John J. Millner, Martin A. Sandoval and Christine Radogno)

625 ILCS 5/11-1201.1

625 ILCS 5/11-1201.5 new

Amends the Illinois Vehicle Code. Provides that the Illinois Commerce Commission and the Illinois Department of Transportation, in cooperation with a local law enforcement agency, may establish in any county or municipality a system for automated enforcement of railroad crossing violations. Provides for automated recording of vehicles that enter a railroad crossing against the signal or that obstruct traffic at a railroad crossing. Provides for the issuance of a Uniform Traffic Citation to the owner of the recorded vehicle. Establishes procedures for contesting the violation. Provides that violation of the provision is a petty offense for which a fine of \$250, or 25 hours of community service, shall be imposed. Provides that a fine of \$500 shall be imposed for a second or subsequent violation. Provides that the Secretary of State may suspend for not less than 6 months the registration of a vehicle involved in a second or subsequent violation. Provides that photographs from a system established under the new provision, or under the provision establishing a similar pilot program, can be made available to governmental agencies for safety analysis of the railroad crossing.

House Amendment No. 1

Provides that local authorities desiring the establishment of an automated railroad crossing enforcement system must initiate the process by enacting a local ordinance requesting the creation of such a system. Provides that local authorities, the Commission, and the Department must agree to a plan for obtaining, from any combination of federal, State, and local funding sources, the moneys required for the purchase and installation of any necessary equipment.

House Amendment No. 4

Deletes reference to:

625 ILCS 5/11-1201.1

Deletes reference to:

625 ILCS 5/11-1201.5 new

Adds reference to:

625 ILCS 5/1-105.2 new

Adds reference to:

625 ILCS 5/6-306.5

from Ch. 95 1/2, par. 6-306.5

Adds reference to:

625 ILCS 5/11-208

from Ch. 95 1/2, par. 11-208

Adds reference to:

625 ILCS 5/11-208.3

from Ch. 95 1/2, par. 11-208.3

Adds reference to:

625 ILCS 5/11-208.6 new

Adds reference to:

625 ILCS 5/11-306

from Ch. 95 1/2, par. 11-306

Adds reference to:

625 ILCS 5/1-105.5 rep.

HB 04835 (CONTINUED)

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that a governmental agency in a municipality or county may establish an automated traffic law enforcement system that produces a recorded image of a motor vehicle's response to a traffic control signal and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. Provides that a county or municipality, including a home rule county or municipality, may not use the system to provide recorded images of a motor vehicle for the purpose of recording its speed, and denies home rule powers with regard to this prohibition. Provides that the municipality or county may impose liability on a registered owner of a vehicle that violates the applicable law. Provides that the recorded image must also display the time, date, and location of the violation. Provides that no citation may be issued if the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle. Provides that the owner of the vehicle used in the violation is liable for the violation if the violation was recorded by the system, with exceptions. In a provision concerning failure to pay fines or penalties for standing, parking, and compliance violations and administrative adjudication of those violations, adds violations recorded by the system. Provides that a second notice of violation is not required before a final determination of liability for a violation recorded by the system may be entered. Provides that the compensation paid for the system may not be based on the amount of revenue generated or tickets issued by the system. Provides that the system may be established only in the counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will and in municipalities located within those counties. Deletes language providing for creation of an automated red light enforcement system in a municipality with a population of 1,000,000 or more. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

625 ILCS 5/11-612 new

Provides that, except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video, or other imaging system may be used to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event, and preempts home rule.

May 22 06 H Public Act 94-0795

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04853 Rep. Harry Osterman-Deborah L. Graham-William Delgado-Julie Hamos-Elizabeth Coulson, Constance A. Howard, Susana A. Mendoza, Michelle Chavez, Eddie Washington, Esther Golar, Sandra M. Pihos, Renee Kosel, Elaine Nekritz, David E. Miller, John A. Fritchey, Karen A. Yarbrough, Marlow H. Colvin, Wyvetter H. Younge, Monique D. Davis, Mary E. Flowers, Karen May, Mike Boland, Gary Hannig, Annazette Collins, Mike Bost, Aaron Schock, David R. Leitch, Kathleen A. Ryg, Jack D. Franks, Linda Chapa LaVia, Barbara Flynn Currie, Richard T. Bradley, Kevin A. McCarthy, James D. Brosnahan, Joseph M. Lyons, Patricia R. Bellock, Edward J. Acevedo and Robin Kelly (Sen. Carol Ronen-Kimberly A. Lightford-Kwame Raoul-Jeffrey M. Schoenberg, John J. Cullerton, Edward D. Maloney-Don Harmon, Mattie Hunter, Iris Y. Martinez, M. Maggie Crotty, Dale E. Risinger, Ira I. Silverstein and Jacqueline Y. Collins)

410 ILCS 45/7.2 from Ch. 111 1/2, par. 1307.2

410 ILCS 45/8.3 new

Amend the Lead Poisoning Prevention Act. Establishes the CLEAN-WIN program. Provides that the Department of Public Health must reimburse eligible owners of dwellings for replacing windows in living units deemed lead hazards by the Department. Requires the Department to appropriate funds for the program and to adopt rules to implement the program and to establish criteria for eligibility. Effective immediately.

House Amendment No. 1

Deletes reference to:

410 ILCS 45/7.2

Deletes reference to:

410 ILCS 45/8.3 new

Adds reference to:

30 ILCS 500/50-14.5 new

Adds reference to:

35 ILCS 5/507MM new

Adds reference to:

35 ILCS 5/509

from Ch. 120, par. 5-509

Adds reference to:

35 ILCS 5/510

from Ch. 120, par. 5-510

Adds reference to:

410 ILCS 45/2

from Ch. 111 1/2, par. 1302

Adds reference to:

410 ILCS 45/3

from Ch. 111 1/2, par. 1303

Adds reference to:

410 ILCS 45/4

from Ch. 111 1/2, par. 1304

Adds reference to:

410 ILCS 45/5

from Ch. 111 1/2, par. 1305

Adds reference to:

410 ILCS 45/6

from Ch. 111 1/2, par. 1306

Adds reference to:

410 ILCS 45/6.01 new

Adds reference to:

410 ILCS 45/6.3 new

Adds reference to:

410 ILCS 45/7.1

from Ch. 111 1/2, par. 1307.1

Adds reference to:

410 ILCS 45/8

from Ch. 111 1/2, par. 1308

Adds reference to:

410 ILCS 45/9

from Ch. 111 1/2, par. 1309

Adds reference to:

410 ILCS 45/9.2 new

Adds reference to:

410 ILCS 45/10.1 new

HB 04853 (CONTINUED)

Adds reference to:

410 ILCS 45/12

from Ch. 111 1/2, par. 1312

Adds reference to:

410 ILCS 45/12.1 new

Deletes everything after the enacting clause. Amends the Illinois Procurement Code to prohibit willful and knowing violators of the Lead Poisoning Prevention Act from doing business with the State or a State agency. Amends the Illinois Income Tax Act to create the Lead Poisoning Screening, Prevention, and Abatement Fund checkoff. Amends the Lead Poisoning Prevention Act. Makes changes in the definition of "lead bearing substance". Provides that no person shall use or apply lead bearing substances in or upon any items, including, but not limited to, clothing, accessories, jewelry, decorative objects, edible or chewable items, candy, food, or dietary supplements. Provides that no person shall sell, have, offer for sale, or transfer clothing, accessories, jewelry, decorative objects, edible or chewable items, candy, food, dietary supplements, or other articles used by or chewable by children that contain a lead bearing substance. Provides that when a person, firm, or corporation has, offers for sale, sells, or gives away any lead bearing substance that may be used by the general public, certain warnings must be given when the lead bearing substance is a lead-based paint or surface coating and when the lead bearing substance contains lead-based paint or a form of lead other than lead-based paint (now, one warning for any lead based substance). Requires a warning statement to be posted where supplies intended for the removal of paint or other surface coatings are sold or rented to the public. Requires certain information to be provided to the Department of Public Health by the Department of Healthcare and Family Services and requires the Department of Public Health to provide a report to certain health care providers. Provides that child care facilities that participate in the Illinois Child Care Assistance Program (CCAP) shall annually send or deliver to the parents or guardians of children enrolled in the facility's care an informational pamphlet regarding awareness of lead paint poisoning. Provides that the pamphlets shall be produced and made available by the Department and shall be downloadable from the Department's Internet website and requires the Department of Human Services and the Department of Public Health to assist in the distribution of the pamphlet. Provides that if a building is occupied by a child of less than 3 years of age screening positive for lead poisoning, the Department of Public Health must inspect the dwelling unit and common place area of the child screening positive. Provides that the Department may screen more units as the Department deems necessary. Provides that, when mitigation notices are issued for 2 or more dwelling units in a building within a 5-year time period, the Department or a private inspector must inspect the building. Requires the owner of a residential building who receives a mitigation notice to post a notice in the building specifying the identified lead hazards. Requires a Notice of Discovery of Lead Hazards to be filed with the Office of the Recorder of Deeds when the owner of a property fails to complete mitigation activities. Provides that a civil penalty may be imposed for a violation of provisions relating to mitigation. Requires the Attorney General and State's Attorney offices to publish a list of repeat violators of the Act, to establish a continuing legal education program related to the Act, and to report certain information annually to the General Assembly. Makes other changes. Effective immediately.

House Amendment No. 2

Deletes reference to:

35 ILCS 5/507MM new

Deletes reference to:

35 ILCS 5/509

Deletes reference to:

35 ILCS 5/510

Deletes reference to:

410 ILCS 45/10.1

HB 04853 (CONTINUED)

Deletes everything after the enacting clause. Replaces with the bill as amended by House Amendment No. 1 with the following changes. Further amends the Illinois Procurement Code to prohibit willful and knowing violators of the Lead Poisoning Prevention Act from doing business with the State or a State agency until the violation is mitigated (rather than a complete prohibition). Deletes provisions relating to the Lead Poisoning Screening, Prevention, and Abatement Fund checkoff. Further amends the Lead Poisoning Prevention Act. Makes changes in the definition of "lead bearing substance". Requires the warning statement posted where supplies intended for the removal of paint are offered to contain a statement that dry sanding and dry scraping of paint in dwellings built before 1978 is dangerous (rather than prohibited) and to contain the phone number and Internet website address (rather than the phone number) of the Department of Public Health or delegate agency. Requires the Department to provide sample posters and to make the posters available in hard copy and via download from the Department's Internet website. Provides that a violation of the requirement to post a warning statement is a petty offense. Removes a provision allowing the Department to inspect more units as it deems necessary. Requires the Department to inspect units where (i) children under the age of 6 reside, at the request of a parent or guardian of the child or (ii) a pregnant woman resides, at the pregnant woman's request. Provides that, when mitigation notices are issued for 2 or more dwelling units in a building within a 5-year time period, the Department may inspect common areas in the building and shall inspect units where (i) children under the age of 6 reside, at the request of a parent or guardian of the child or (ii) a pregnant woman resides, at the pregnant woman's request (rather than the Department or a private inspector may inspect all units and common areas in the building). Provides that once the Department determines that a lead hazard has been mitigated, the owner of a dwelling unit or residential building may remove notices of the lead hazard. Removes a provision requiring a Notice of Discovery of Lead Hazards to be filed with the Office of the Recorder of Deeds when the owner of a property fails to complete mitigation activities. Removes provisions concerning Attorney General and State's Attorney publishing of violators of the Act and establishing a continuing legal education program. Makes other changes. Effective immediately.

House Amendment No. 3

Deletes reference to:

410 ILCS 45/9

Adds reference to:

410 ILCS 45/9.3 new

Adds reference to:

410 ILCS 45/9.4 new

Deletes everything after the enacting clause. Replaces with the bill as amended by House Amendment No. 2 with the following changes. Further amends the Lead Poisoning Prevention Act. Makes changes in the definition of "lead bearing substance". Requires the warning statement posted where supplies intended for the removal of paint are offered to contain contact information (rather than the phone number and Internet website address of the Department of Public Health or delegate agency) where consumers can obtain more information. Requires the Department to provide sample brochures and to make the brochures available in hard copy and via download from the Department's Internet website. Provides that a commercial establishment shall be deemed to be in compliance with the warning statement requirement if the commercial establishment displays lead poisoning prevention posters or provides brochures to its customers that meet the minimum requirements of the Section but come from a source other than the Department. Provides that a violation of the requirement to post a warning statement shall cause the Department to issue a written warning for a first offense and shall be a petty offense for a second or subsequent offense if the violation occurs at the same location within 12 months after the first offense (rather than a violation is a petty offense). In a Section concerning inspection of buildings occupied by a person testing positive for lead poisoning, removes a provision requiring the Department to inspect units where (i) children under the age of 6 reside, at the request of a parent or guardian of the child or (ii) a pregnant woman resides, at the pregnant woman's request. Requires the Department to make the owner of a building aware of any financial assistance programs that may be available for lead mitigation whenever the Department issues a mitigation notice. Requires the notice posted by building owners who have received a mitigation notice to indicate whether mitigation notices have been issued for 2 or more dwelling units within a 5-year period of time. Provides that once the owner has complied with a mitigation notice or mitigation order issued by the Department (rather than once the Department determines that a lead hazard has been mitigated), the owner may remove the notices. Makes other changes. Effective immediately.

Senate Floor Amendment No. 1

Provides that the definition of "lead bearing substance" does not include firearm ammunition or components as defined by the Firearm Owners Identification Card Act.

Jun 20 06 H Public Act 94-0879

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04904 Rep. Angelo Saviano-Cynthia Soto-Susana A Mendoza
 (Sen. Don Harmon)

430 ILCS 85/2-2	from Ch. 111 1/2, par. 4052
430 ILCS 85/2-3	from Ch. 111 1/2, par. 4053
430 ILCS 85/2-4	from Ch. 111 1/2, par. 4054
430 ILCS 85/2-6	from Ch. 111 1/2, par. 4056
430 ILCS 85/2-7	from Ch. 111 1/2, par. 4057
430 ILCS 85/2-8	from Ch. 111 1/2, par. 4058
430 ILCS 85/2-9	from Ch. 111 1/2, par. 4059
430 ILCS 85/2-12	from Ch. 111 1/2, par. 4062
430 ILCS 85/2-13	from Ch. 111 1/2, par. 4063
430 ILCS 85/2-14	from Ch. 111 1/2, par. 4064
430 ILCS 85/2-15	from Ch. 111 1/2, par. 4065
430 ILCS 85/2-18	from Ch. 111 1/2, par. 4068

Amends the Carnival and Amusement Rides Safety Act. Provides that the Board shall advise the Department of Labor on safety matters. Changes the membership of the Board from 5 to 8 members. Provides that the Director of Labor in consultation with the Board (instead of the Board) shall promulgate and formulate definitions, rules, and regulations for the safe installation, repair, maintenance, use, operation, and inspection of amusement rides and amusement attractions. Grants the Director the authority to require by subpoena the attendance and testimony of witnesses and the production of all books, records, equipment, and other evidence relative to a matter under investigation or hearing. Provides that qualifications of amusement ride inspectors shall be established through regulation by the Director. Removes the requirement that the chief amusement ride inspector be licensed in Illinois as a professional engineer. Provides that any person who violates any provision of the Act or any rule or regulation adopted under the Act, if that violation results in the bodily injury or death of a person, is guilty of a Class 4 felony. Effective immediately.

House Amendment No. 1

Provides that the Director of Labor, with the consent of the Board (instead of in consultation with the Board), shall promulgate the listed rules and regulations with regards to amusement ride and amusement attraction safety. Provides that Director of Labor, with the consent of the Board (instead of in consultation with the Board), shall determine a permit fee schedule for each amusement ride or amusement attraction. Restores the language requiring the chief ride inspector to be licensed in Illinois as a professional engineer. Removes the Class 4 felony penalty for a person who violates a provision of the Act or any rule or regulation adopted under the Act, if that violation results in the bodily injury or death of a person.

May 25 06 H Public Act 94-0801

HB 04960 Rep. Chapin Rose-Patricia R. Bellock-Donald L. Moffitt
 (Sen. Dale A. Righter)

70 ILCS 705/16	from Ch. 127 1/2, par. 37
30 ILCS 805/8.30 new	

Amends the Fire Protection District Act. Provides that notice of a hearing on a petition to disconnect certain territory from a fire protection district and transfer the territory to another fire protection district must be personally served upon each trustee of the district from which the transfer is sought to be made. Amends the State Mandates Act to require implementation without reimbursement by the State.

Senate Floor Amendment No. 1

Provides that, in an action to disconnect territory from a fire protection district, both the transferring and receiving districts are necessary parties.

May 26 06 H Public Act 94-0806

HB 04971 Rep. Dan Brady-Aaron Schock
(Sen. Arthur J. Wilhelmi-Pamela J. Althoff)

55 ILCS 5/3-3013 from Ch. 34, par. 3-3013

Amends the Counties Code. Provides that in all counties (instead of counties that do not have a jury commission) the coroner may (now, the coroner shall) summon 8 persons to present themselves to serve as jurors for inquests in cases involving apparent suicide, homicide, accidental death, or other cases, within the discretion of the coroner, and the coroner shall select 6 persons to serve as jurors.

House Amendment No. 1

Provides that, in counties that have a jury commission, in cases of apparent suicide, homicide, or accidental death, the coroner may (now, the coroner shall) conduct an inquest.

Jun 26 06 H Public Act 94-0924

HB 04986 Rep. Donald L. Moffitt-Mary E. Flowers-Rich Brauer-Jerry L. Mitchell-Brandon W. Phelps, Careen M Gordon, Robert W. Pritchard, David Reis, Calvin L. Giles, Monique D. Davis, Michael K. Smith, Daniel V. Beiser, Robert F. Flider, Patrick J Verschoore, Jack McGuire, Art Tenhouse, Jim Sacia, Jim Watson, Richard P. Myers and Kurt M. Granberg
(Sen. John M. Sullivan, Todd Sieben-Deanna Demuzio-Arthur J. Wilhelmi-Gary Forby-Dale E. Risinger, Edward D. Maloney and Dale A. Richter)

105 ILCS 5/2-3.80 from Ch. 122, par. 2-3.80

Amends the School Code. Provides that a school district that offers a secondary agricultural education program that is eligible for State and federal funding must ensure that, at a minimum, the following are available to its secondary agricultural education students: (1) an instructional sequence of courses approved by the State Board of Education; (2) a State and nationally affiliated FFA chapter that is integral to instruction and is not treated as an extracurricular activity; and (3) a mechanism for ensuring the involvement of all secondary agricultural education students in formal, supervised, agricultural-experience activities and programs.

House Amendment No. 1

Provides that the FFA chapter must not be treated solely as an extracurricular activity (instead of requiring that it not be treated as an extracurricular activity).

House Amendment No. 2

Provides that a school district that offers a secondary agricultural education program that is approved (instead of that is eligible) for State and federal funding must ensure that certain components are available to its secondary agricultural education students. Provides that nothing in the Section concerning agricultural education may prevent those secondary agricultural education programs that are in operation before the effective date of the amendatory Act and that do not have an active State and nationally affiliated FFA chapter from continuing to operate or from continuing to receive funding from the State Board of Education.

Jun 15 06 H Public Act 94-0855

HB 04987 Rep. Rich Brauer-Paul D. Froehlich-Jack D. Franks-Roger L. Eddy-Jerry L. Mitchell, Sandra M. Pihos, Monique D. Davis, Karen May, Kathleen A. Ryg and Naomi D. Jakobsson
(Sen. Larry K. Bomke-M. Maggie Crotty-Debbie DeFrancesco Halvorson-Jacqueline Y. Collins, Christine Radogno, Susan Garrett and Deanna Demuzio)

105 ILCS 5/14-1.10 from Ch. 122, par. 14-1.10

Amends the Children with Disabilities Article of the School Code. Includes in the definition of "professional worker" a school behavior analyst.

House Amendment No. 1

Changes the term "school behavior analyst" to "behavior analyst".

Senate Floor Amendment No. 1

Adds reference to:

105 ILCS 5/14-1.09d new

Defines "behavior analyst" to mean a person who is certified by the Behavior Analyst Certification Board.

Jun 27 06 H Public Act 94-0948

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 04999 Rep. Karen May-Mary E. Flowers-George Scully, Jr.-Cynthia Soto, Kathleen A. Ryg, Karen A. Yarbrough, Arthur L. Turner, Harry Osterman, Barbara Flynn Currie, Elaine Nekritz, William Davis, Marlow H. Colvin, Deborah L. Graham, Daniel J. Burke, Constance A. Howard, Jack McGuire, Kenneth Dunkin, Patrick J. Verschoore, Esther Golar, Julie Hamos, Larry McKeon, Joseph M. Lyons, Maria Antonia Berrios, Michelle Chavez, Robin Kelly, Annazette Collins, John D'Amico, Susana A. Mendoza, Eddie Washington, Calvin L. Giles, Wyvetter H. Younge, Milton Patterson, David E. Miller, Charles E. Jefferson, Lovana Jones, Monique D. Davis, William Delgado, Kurt M. Granberg, Gary Hannig, Kevin A. McCarthy, Richard T. Bradley, Jack D. Franks, Robert Rita and Michael P. McAuliffe
(Sen. Kwame Raoul-Jacqueline Y. Collins-Iris Y. Martinez-M. Maggie Crotty-Mattie Hunter and Donne E. Trotter)

New Act

30 ILCS 105/5.663 new

110 ILCS 330/5 from Ch. 23, par. 1375

210 ILCS 85/7 from Ch. 111 1/2, par. 148

Creates the Hospital Fair Billing and Collection Practices Act. Requires a hospital's governing body to adopt policies: (i) prohibiting abusive, harassing, oppressive, false, deceptive, or misleading language or collection conduct by any collection agency or attorney retained by the hospital for the collection of medical debt, any agent or employee of a collection agency or attorney, or any hospital employee who participates in the collection of medical debt from patients; (ii) establishing the procedures to be utilized by every collection agency retained by the hospital for the collection of medical debt; (iii) establishing the procedures to be utilized by the hospital's employees who participate in the collection of debt; and (iv) establishing procedures for ensuring the timely and accurate submission of claims to third party payors. Prohibits a hospital from selling any debt owed to it by a patient for medical or hospital services, except to a collection agency. Establishes required billing practices for a hospital. Requires a hospital to enter into a written contract with any collection agency or attorney that it retains to collect medical debts from patients and outlines the contract requirements. Provides for civil penalties and injunctive relief. Preempts home rule. Creates the Hospital Fair Billing and Collection Practices Act Enforcement Fund. Provides that the monies in the Fund shall be used by the Attorney General for the enforcement of the Act. Amends the State Finance Act to create the Hospital Fair Billing and Collection Practices Act Enforcement Fund. Amends the University of Illinois Hospital Act to make the collection of hospital service charges by the University subject to the Hospital Fair Billing and Collection Practices Act. Amends the Hospital Licensing Act. Provides that the Director may deny, suspend, or revoke a hospital's license for failure to comply with the provisions of the Hospital Fair Billing and Collection Practices Act. Effective January 1, 2007.

Judicial Note (Administrative Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Pension Note (Commission on Gov't Forecasting and Accountability)

HB 4999 would not impact any public pension fund or retirement system in Illinois.

State Mandates Fiscal Note (Department of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, HB 4999 creates a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act.

Home Rule Note (Department of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, HB 4999 pre-empts home rule authority.

Fiscal Note (Office of the Attorney General)

Will increase the operating costs of the Office of the Attorney General, but at the current time there are no estimates of the total fiscal impact. However, the legislation contains provisions to create a dedicated fund, subject to appropriation, to offset the costs of administration and enforcement of the Act.

House Amendment No. 3

Deletes reference to:

30 ILCS 105/5.663 new

Deletes reference to:

110 ILCS 330/5

Deletes reference to:

210 ILCS 85/7

HB 04999 (CONTINUED)

Replaces everything after the enacting clause. Creates the Fair Patient Billing Act. Requires hospitals to post the specified sign giving patients notice that they may be eligible for financial assistance and the contact information for the hospital financial assistance representative. Lists information that must be contained in any bill a hospital sends a patient for health care services. Establishes a billing inquiry process that hospitals must implement. Provides conditions that must be met before a hospital may pursue a collection action against a patient. Lists patient responsibilities that must be done for a patient to receive the protection and benefits of the Act. Provides for notification that must be given to insured patients concerning out-of-network providers. Provides for enforcement of the Act and civil penalties. Makes other changes. Effective January 1, 2007.

Home Rule Note (H-AM 3)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, HB 4999 (H-AM 3) pre-empts home rule authority.

State Mandates Fiscal Note (H-AM 3)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 4999 (H-AM 3) creates a service mandate for which reimbursement of 50%-100% of the increased costs to units of local government is required under the State Mandates Act.

Judicial Note (H-AM 3) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Fiscal Note (H-AM 3) (Office of the Attorney General)

No fiscal impact.

Pension Note (H-AM 3) (Com. on Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Jun 20 06 H Public Act 94-0885

HB 05220 Rep. Dave Winters, Kathleen A. Ryg, Michelle Chavez, Mike Bost and Robert W. Churchill
(Sen. Antonio Munoz-Larry K. Bomke-John M. Sullivan-Dale E. Risinger-Debbie DeFrancesco Halvorson and Jeffrey M. Schoenberg)

20 ILCS 2705/2705-435 was 20 ILCS 2705/49.25g-1

20 ILCS 2705/2705-440 was 20 ILCS 2705/49.25h

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Deletes language providing that the Department may not expend funds for the acquisition of railroad rolling stock and may not become the owner of railroad locomotives or other rolling stock. Provides that, in providing intercity railroad passenger service, the Department may enter into a lease or contract with a term of not more than 50 (rather than 7) years for use, maintenance, servicing, and repair of locomotives, rolling stock, stations, and other facilities. Effective immediately.

May 26 06 H Public Act 94-0807

HB 05243 Rep. Barbara Flynn Currie-Mike Bost-Brandon W. Phelps-Charles E. Jefferson-Cynthia Soto and John A. Fritchey
(Sen. Mattie Hunter and Pamela J. Althoff-Jacqueline Y. Collins)

5 ILCS 490/115 new

Amends the State Commemorative Dates Act. Designates each December 10 as Jane Addams Day.

Fiscal Note (Dept. of Central Management Services)

No fiscal impact.

May 22 06 H Public Act 94-0796

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05245 Rep. Rich Brauer-Elizabeth Coulson-David R. Leitch-Renee Kosel-Sandra M. Pihos, Jerry L. Mitchell, Frank J. Mautino and Joseph M. Lyons
 (Sen. William R. Haine-Dale A. Righter-Arthur J. Wilhelmi, Deanna Demuzio-Carole Pankau, Dale E. Risinger and Peter J. Roskam-Kwame Raoul)

210 ILCS 85/6.21

410 ILCS 212/17 new

Amends the Hospital Licensing Act and the Illinois Family Case Management Act. Requires the Department of Human Services to make the maximization of umbilical cord blood donations a public health goal equivalent to the other goals listed in the Illinois Family Case Management Act. Requires the Maternal and Child Health Advisory Board to discuss and make recommendations for expanding the number of prenatal mothers who agree to donate umbilical cord blood. Requires hospitals and birthing centers to cooperate with the Department and the Advisory Board in implementing recommendations to increase donations of umbilical cord blood. Effective immediately.

House Amendment No. 1

Deletes reference to:

410 ILCS 212/17 new

Adds reference to:

20 ILCS 2310/2310-342 new

Replaces everything after the enacting clause. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois and the Hospital Licensing Act. Subject to appropriations, requires the Department of Public Health to prepare and distribute to health and maternal care providers written publications that include information concerning umbilical cord blood donations. Subject to appropriations, requires the Department of Public Health (instead of the Department of Human Services) to make the maximization of umbilical cord blood donations a public health goal. Effective immediately.

House Amendment No. 3

Provides that in developing the publications in connection with umbilical cord blood donations, the Department of Public Health shall consult with an organization of physicians licensed to practice medicine in all its branches and consumer groups. Provides that the Department shall update the publications every 2 years.

Jun 05 06 H Public Act 94-0832

HB 05249 Rep. James H. Meyer-Jim Durkin-Elizabeth Coulson-Aaron Schock
 (Sen. Kirk W. Dillard and Pamela J. Althoff)

720 ILCS 5/11-9.4

Amends the Criminal Code of 1961. Provides that it is a Class 4 felony for a child sex offender to knowingly operate, manage, be employed by, volunteer at, be associated with, or knowingly be present at a day care center, a part day child care facility, or a school providing before and after school programs for children under 18 years of age, with certain exceptions.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Reinserts the provisions of the bill but includes in the provision prohibiting a child sex offender from residing within 500 feet of certain facilities, a child care institution, day care center, or a part day child care facility. Includes child care institutions in the provision prohibiting a child sex offender from knowingly operating, managing, being employed by, volunteering at, being associated with, or knowingly being present at certain facilities. Effective immediately.

Jun 26 06 H Public Act 94-0925

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05251 Rep. Patrick J Verschoore-Thomas Holbrook-Jack McGuire-Jim Watson-John E. Bradley, Lisa M. Dugan, Linda Chapa LaVia, Mike Bost, Donald L. Moffitt, William B. Black and Naomi D. Jakobsson
(Sen. Mike Jacobs-Todd Sieben-Pamela J. Althoff-Frank C. Watson, John J. Cullerton, John M. Sullivan and Arthur J. Wilhelmi)

820 ILCS 315/3 from Ch. 48, par. 283

Amends provisions regarding the payment of compensation under the Line of Duty Compensation Act. Provides that, in the case of a person killed in the line of duty who was born out of wedlock and was not an adoptive child at the time of the person's death, a person shall be deemed to be a parent of the person killed in the line of duty only if that person would be an eligible parent of the person killed in the line of duty under specified criteria in the Probate Act of 1975. Applies to a pending claim if compensation was not paid before the effective date of the amendatory Act. Effective immediately.

House Amendment No. 1

Requires a person to be an eligible parent as defined in the Probate Act of 1975 (rather than being an eligible parent under specified criteria in the Probate Act of 1975). Applies to a pending claim if compensation was not paid "to the claimant of the pending claim" (rather than "to the party") before the effective date of the amendatory Act.

Jun 08 06 H Public Act 94-0843

HB 05259 Rep. Tom Cross-Sara Feigenholtz-Randall M. Hultgren-Dan Brady-John A. Fritchey, Patricia R. Bellock, Kathleen A. Ryg and David E. Miller
(Sen. James F. Clayborne, Jr.-Arthur J. Wilhelmi-Kwame Raoul-M. Maggie Crotty)

755 ILCS 60/2.5 new

Amends the Organ Donation Request Act. Provides that if a person authorized under the Act to consent to the donation of a decedent's organs is not immediately available for an organ procurement agency to make a request for such consent, the hospital may use organ preservation equipment and techniques to maintain the viability of the decedent's organs. Provides for immunity absent willful misconduct. Provides that neither a decedent's estate nor a relative or guardian of a decedent may be required to pay for any costs associated with organ preservation. Provides that a hospital that initiates organ preservation measures must bear all costs associated with the organ preservation if (i) the recipient of the preserved organ is indigent, (ii) a person authorized to consent to the donation of the decedent's organs cannot be located within a reasonable time, or (iii) a person authorized to consent does not consent.

House Amendment No. 1

Deletes everything. Amends the Organ Donation Request Act. Creates a new Section concerning organ preservation with only a caption.

House Amendment No. 2

Deletes reference to:

755 ILCS 60/2.5 new

Adds reference to:

755 ILCS 50/5-20 was 755 ILCS 50/5

Adds reference to:

755 ILCS 50/5-45 was 755 ILCS 50/8

Deletes everything after the enacting clause. Amends the Illinois Anatomical Gift Act. Provides that when there is a suitable candidate for organ donation and a donation or consent to donate has not yet been given, procedures to preserve the decedent's body for possible organ and tissue donation may be implemented under the authorization of the applicable organ procurement agency, at its own expense, prior to making a donation request and, if the organ procurement agency does not locate a person authorized to consent to donation or consent to donation is denied, then procedures to preserve the decedent's body shall be ceased and no donation shall be made. Provides that any person who participates in good faith and according to the usual and customary standards of medical practice in the preservation, removal, or transplantation (instead of the removal or transplantation) of any part of a decedent's body pursuant to an anatomical gift made by the decedent under specified provisions shall have immunity from liability for those actions.

House Amendment No. 3

Provides that an organ procurement agency shall respect the religious tenets of the decedent, if known, such as a pause after death, before initiating preservation services.

Senate Committee Amendment No. 1

In provisions regarding execution of anatomical gifts and preservation of a decedent's body for organ or tissue donation, provides that those provisions do not authorize interference with the coroner in carrying out an investigation or autopsy.

Jun 26 06 H Public Act 94-0920

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05260 Rep. Jim Durkin-Joseph M. Lyons-John E. Bradley-Annazette Collins, Angelo Saviano, Jim Sacia, Patricia R. Bellock and Donald L. Moffitt
 (Sen. Terry Link-Pamela J. Althoff)

30 ILCS 540/3-2 from Ch. 127, par. 132.403-2

30 ILCS 540/3-5 new

30 ILCS 540/3-6 new

30 ILCS 540/7 from Ch. 127, par. 132.407

Amends the State Prompt Payment Act to provide that notification to a vendor that a bill or invoice contains a defect must be given not later than 45 days after the bill was first submitted or not later than 30 days after the receipt of the goods or services, whichever is later. Sets forth that if the State official or agency whose approval is required for any invoice fails to approve or disapprove that invoice within this notification period, the interest for late payment of that invoice shall be computed from the date 60 days after the receipt of that invoice or the date 60 days after the goods or services are received, whichever is later. Provides that if the State fails to pay any invoice within 30 days of approval or fails to approve or disapprove the invoice within the period at which interest may accrue, plus an additional 30 days, the contractor and subcontractors not paid may suspend performance under the construction contract or subcontracts without penalty, until the overdue payment or payments are made. Authorizes contractors, subcontractors, and material suppliers to recover the interest payable under this Act in any action pursuant to Section 23 of the Mechanics Lien Act or pursuant to the Public Construction Bond Act.

House Amendment No. 1

Deletes reference to:

30 ILCS 540/3-5 new

Deletes reference to:

30 ILCS 540/3-6 new

Deletes reference to:

30 ILCS 540/7 from Ch. 127, par. 132.407

Adds reference to:

30 ILCS 540/3-2 from Ch. 127, par. 132.403-2

Deletes everything after the enacting clause. Requires the notice of a defect for construction related bills or invoices to be given not later than 30 days after the bill or invoice was first submitted or not later than 30 days after the receipt of the goods or services, whichever is later.

Senate Committee Amendment No. 1

Adds reference to:

30 ILCS 540/3-2 from Ch. 127, par. 132.403-2

Adds reference to:

30 ILCS 540/7 from Ch. 127, par. 132.407

Adds reference to:

50 ILCS 505/3 from Ch. 85, par. 5603

Adds reference to:

50 ILCS 505/9 from Ch. 85, par. 5609

Deletes everything after the enacting clause. Amends the State Prompt Payment Act to require that the notice of defect for construction related bills or invoices must be given not later than 30 days after the bill or invoice was first submitted (instead of within that period or not later than 30 days after the receipt of the goods or services, whichever is later). Sets forth that if one or more items on a construction related bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved shall be paid. Provides that certain payments to subcontractors and material suppliers shall include interest received under the Act. Amends the Local Government Prompt Payment Act. In a Section requiring the appropriate official or agency receiving goods or services to approve or disapprove a bill from a vendor or contractor within certain time periods, sets forth that if one or more items on a construction related bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved shall be paid. Requires that certain interest payments to contractors to whom payment has been delayed shall be disbursed to subcontractors and material suppliers to whom payment has been delayed, on a pro rata basis. Effective July 1, 2007.

HB 05267 Rep. Elaine Nekritz
(Sen. Susan Garrett)

765 ILCS 605/2.1 from Ch. 30, par. 302.1

Amends the Condominium Property Act. Makes a technical change in a Section concerning the applicability of the Act.

House Amendment No. 1

Deletes reference to:

765 ILCS 605/2.1

Adds reference to:

765 ILCS 605/27

from Ch. 30, par. 327

Deletes everything after the enacting clause. Amends the Condominium Property Act. In provisions regarding amendment of condominium instruments if there is any unit owner other than the developer, provides that in no event shall the condominium instruments require more than a three-quarters vote of unit owners to amend the condominium instruments. Makes other changes. Effective immediately.

Jun 20 06 H Public Act 94-0886

HB 05274 Rep. Dan Reitz-Renee Kosel-Deborah L. Graham-Jim Sacia, Patrick J Verschoore and Jack McGuire
(Sen. Terry Link-John J. Millner-Carole Pankau)

625 ILCS 5/15-111 from Ch. 95 1/2, par. 15-111

Amends the Illinois Vehicle Code. Provides that specified vehicles used exclusively for the transportation and mixing of concrete in the plastic state, manufactured before or in the 2014 model year, and first registered in Illinois before January 1, 2015, are allowed specified weights on specified numbers and configurations of axles. Provides that a 4-axle truck mixer registered as a special hauling vehicle is allowed 20,000 pounds on any single axle, 36,000 pounds on any series of 2 axles greater than 72 inches but not more than 96 inches, and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. Provides that, when the vehicle is transporting concrete in the plastic state on a designated highway other than an interstate highway, the bridge formula does not apply to any series of 3 axles, but no axle or tandem axle of the series may exceed the maximum permitted weight.

Jun 26 06 H Public Act 94-0926

HB 05283 Rep. Robert Rita
(Sen. Debbie DeFrancesco Halvorson)

35 ILCS 105/12 from Ch. 120, par. 439.12

35 ILCS 110/12 from Ch. 120, par. 439.42

35 ILCS 115/12 from Ch. 120, par. 439.112

35 ILCS 120/2-6 new

35 ILCS 120/1p rep.

55 ILCS 5/5-1006.5

65 ILCS 5/11-74.4-3.1

Amends the Retailers' Occupation Tax Act. Repeals and reinstates, with a different placement within the Act, a Section concerning an exemption for building materials for intermodal terminal facility areas. Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Counties Code to make corresponding changes. Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Authorizes municipalities to establish a project redevelopment area in an intermodal terminal facility area for the purpose of improving existing terminal facilities and related infrastructure. Makes corresponding changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

65 ILCS 5/11-74.4-3.1

Deletes the changes to the Illinois Municipal Code authorizing municipalities to establish a project redevelopment area in an intermodal terminal facility area for the purpose of improving existing terminal facilities and related infrastructure.

May 19 06 H Public Act 94-0781

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05284 Rep. Robert S. Molaro-Susana A Mendoza
 (Sen. Don Harmon-Martin A. Sandoval)

New Act

Creates the Carbon Monoxide Alarm Detector Act. Requires that every dwelling unit be equipped with at least one approved carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes. Provides that the carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with the respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard. Provides that it is the responsibility of the owner of a structure to supply and install all required alarms. Provides that it is the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. Provides that the willful failure to install or maintain in operating condition any carbon monoxide alarm required by the Act is a Class B misdemeanor. Provides that tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide alarm, except in the course of inspection, maintenance, or replacement of the alarm, is a Class A misdemeanor in the case of a first conviction, and a Class 4 felony in the case of a second or subsequent conviction. Provides for exemptions.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of the bill, it has been determined that this legislation may cause a minimal increase in judicial workloads. However, the bill would not increase the number of judges needed in the state.

Correctional Note (Dept of Corrections)

Corrections Population Impact will be minimal. Fiscal impact will be minimal.

Housing Affordability Impact Note (Housing Development Authority)

Increases the cost on a \$100,000 home by an estimated unknown.

Fiscal Note (State Fire Marshal)

The bill will have zero to negligible fiscal impact on operations of the Office of the State Fire Marshal.

The bill will have zero to negligible fiscal impact on operations of the Office of the State Fire Marshal. The bill does not call for regulation or inspection activity, thus no additional staff hours will be needed. The bill provides for punishments and since no other enforcement agency is noted, this would primarily involve staff at the Attorney General's office.

Housing Affordability Impact Note (Housing Development Authority)

Increases the cost on a \$100,000 by an estimated \$unknown.

May 08 06 H Public Act 94-0741

HB 05288 Rep. Susana A Mendoza
 (Sen. Kwame Raoul-Jacqueline Y. Collins-Kirk W. Dillard-Mattie Hunter)

730 ILCS 5/5-4-3a

Amends the Unified Code of Corrections. Provides that on or before February 1 of each year, the Department of State Police shall report to the Governor and both houses of the General Assembly (1) the number of specimens of blood, saliva, or tissue that are awaiting testing or analysis and categorizing into genetic marker groupings whether in the physical custody of the Department of State Police or in the physical custody of local law enforcement agencies, provided that the Department of State Police has notice of any specimens in the physical custody of local law enforcement agencies and (2) the number of persons convicted of a qualifying offense or attempt of a qualifying offense before July 1, 1990 and who are presently confined as a result of such convictions in any State correctional facilities or county jails or who are presently serving a sentence of probation, conditional discharge or periodic imprisonment as a result of such convictions and whose specimens of blood, saliva, or tissue have not been analyzed and categorized into genetic marker groupings. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Unified Code of Corrections relating to DNA testing backlog accountability. Provides that the annual report to the Governor and both houses of the General Assembly by the Department of State Police concerning the criminal DNA analysis includes all cases awaiting forensic testing whether in the physical custody of the State Police or in the physical custody of local law enforcement, provided that the State Police have notice of any evidence in the physical custody of local law enforcement. Provides that the report shall be made before August 1 (rather than February 1) of each year. Provides that the report of the backlog shall include tests performed as of June 30 of the previous fiscal year (rather than December 31 of the previous year). Provides that the State Police must have written notice of evidence in the physical custody of local law enforcement prior to June 1 of that year in order for that information to be included in the report of the backlog. Effective immediately.

May 12 06 H Public Act 94-0761

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05300 Rep. Rosemary Mulligan-Sara Feigenholtz-William Delgado-Elizabeth Coulson-Terry R. Parke, Naomi D. Jakobsson, Karen May and Kathleen A. Ryg
 (Sen. Don Harmon-M. Maggie Crotty-Pamela J. Althoff-Iris Y. Martinez-Jacqueline Y. Collins, Mattie Hunter, Carol Ronen, Kimberly A. Lightford, Cheryl Axley and Ira I. Silverstein)

410 ILCS 70/2 from Ch. 111 1/2, par. 87-2

410 ILCS 70/2.1 from Ch. 111 1/2, par. 87-2.1

410 ILCS 70/8.5 new

Amends the Sexual Assault Survivors Emergency Treatment Act. Requires the Department of Public Health to submit a report to the General Assembly containing information on hospitals that have submitted a plan to provide emergency services to sexual assault survivors to the Department and to post the report on its Internet website. Changes the maximum fine for failure to submit a Plan of Correction or to implement the Plan of Correction to \$1,000 (now, \$100.00) per day. Requires the Department to accept and investigate any complaint of a hospital not providing services required by the Act. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Replaces with the bill as introduced with the following changes. Requires the report to contain a list of hospitals that have failed to submit an acceptable Plan of Correction within the time required by the Act (rather than information on the Department of Public Health's site reviews of hospitals that have submitted plans) and a list of hospitals at which the periodic site review required by the Act has been conducted. Requires the Department to update the report on its Internet website when a hospital listed as noncompliant because of a failure to submit an acceptable Plan of Correction submits and implements the required Plan of Correction. Changes the maximum fine for failure to submit a Plan of Correction or to implement the Plan of Correction to \$500 (rather than \$1,000) per day. Requires the Department to implement a complaint system through which the Department may receive complaints of violations of the Act (rather than to accept and investigate any complaint of a hospital not providing services required by the Act). Makes other changes. Effective immediately.

May 12 06 H Public Act 94-0762

HB 05301 Rep. Michael K. Smith-Jack McGuire-Patricia R. Bellock-Monique D. Davis-Thomas Holbrook, Harry Osterman, Patrick J Verschoore, Mike Boland, Kurt M. Granberg and Charles E. Jefferson
 (Sen. George P. Shadid and Gary Forby)

320 ILCS 60/25

Amends the Community Senior Services and Resources Act. Provides that the Department on Aging may award grants for the purposes of modifying the physical structure of a senior services and resource center or experimenting with innovative programming, which includes but is not limited to after-hours programming, to permit a senior services and resource center to appeal to a broader array of seniors. Effective immediately.

Fiscal Note (Department on Aging)

The Department on Aging does not believe that House Bill 5301 has a fiscal impact at this time. House Bill 5301 would not require the expenditure of state funds or increase or decrease state revenues.

Jun 16 06 H Public Act 94-0864

HB 05305 Rep. William B. Black-Naomi D. Jakobsson
 (Sen. Richard J. Winkel, Jr.-Debbie DeFrancesco Halvorson)

New Act

Creates the Chanute-Rantoul National Aviation Center Redevelopment Commission and sets forth its territorial jurisdiction in the area formerly known as Chanute Air Force Base. Provides that the Commission is comprised of 7 members and 4 ex-officio members. Contains provisions concerning the powers and duties of the Commission. Allows the Commission to acquire, own, sell, lease, or dispose of property interests and to issue revenue bonds and notes. Contains other provisions. Effective immediately.

Jun 23 06 H Public Act 94-0908

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05330 Rep. Joe Dunn-Roger Jenisch and Randall M. Hultgren
 (Sen. Susan Garrett)

20 ILCS 2310/2310-600

210 ILCS 45/2-104.2 from Ch. 111 1/2, par. 4152-104.2

210 ILCS 50/3.57

210 ILCS 85/6.19

755 ILCS 40/65

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, the Nursing Home Care Act, the Emergency Medical Services (EMS) Systems Act, the Hospital Licensing Act, and the Health Care Surrogate Act. Changes references from "Department of Public Health Uniform DNR Order form" to "Department of Public Health Uniform DNR Advance Directive", and provides that this advance directive does not replace a physician's do-not-resuscitate (DNR) order. Provides that nothing in the Health Care Surrogate Act provisions or the amendatory Act concerning DNR forms shall be construed to affect the ability of a physician to make a DNR order. Effective immediately.

Jun 16 06 H Public Act 94-0865

HB 05331 Rep. Roger L. Eddy-Jerry L. Mitchell-Robert W. Pritchard-Renee Kosel-David Reis, Rich Brauer, Elizabeth Coulson, Rosemary Mulligan, Roger Jenisch, Carolyn H. Krause, Raymond Poe, Ronald A. Wait, David R. Leitch, Mike Bost, Dan Brady, Ruth Munson, Calvin L. Giles, Gary Hannig, Thomas Holbrook, Michael K. Smith, John E. Bradley, Kurt M. Granberg, Sandra M. Pihos, Jack D. Franks, Linda Chapa LaVia, Karen May, Kathleen A. Ryg, Terry R. Parke and Jim Sacia

(Sen. Dale A. Righter-Pamela J. Althoff)

40 ILCS 5/16-118 from Ch. 108 1/2, par. 16-118

Amends the Downstate Teacher Article of the Illinois Pension Code. Extends to June 30, 2011 (from June 30, 2006) the period during which an annuitant receiving a retirement annuity other than a disability retirement annuity may accept employment as a teacher from a school board or other employer without impairing retirement status for 120 paid days or 600 paid hours in each school year (after June 20, 2011, will return to 100 paid days or 500 paid hours in any school year). Effective immediately.

Jun 23 06 H Public Act 94-0914

HB 05336 Rep. Harry Osterman-Jim Watson-Randall M. Hultgren-Deborah L. Graham, Richard T. Bradley and Kenneth Dunkin
 (Sen. Peter J. Roskam and Pamela J. Althoff)

720 ILCS 5/2-13 from Ch. 38, par. 2-13

720 ILCS 5/32-5.1 from Ch. 38, par. 32-5.1

720 ILCS 5/32-5.1-1 new

720 ILCS 5/32-5.2 from Ch. 38, par. 32-5.2

720 ILCS 5/32-5.4-1 new

720 ILCS 5/32-5.5

625 ILCS 5/12-215 from Ch. 95 1/2, par. 12-215

Amends the Criminal Code of 1961. In the definition of "peace officer", provides that for the purposes of statutes involving the false personation of a peace officer, false personation of a peace officer while carrying a deadly weapon, and aggravated false personation of a peace officer, certain federal law enforcement officers shall be considered peace officers. Increases the penalties for aggravated false personation of a peace officer and aggravated false personation of a fire fighter. Creates the offenses of false personation of a peace officer while carrying a deadly weapon and false personation of a fire fighter while carrying a deadly weapon. Amends the Illinois Vehicle Code. Provides that a person who without lawful authority stops or detains another person while operating a motor vehicle using red or white oscillating, rotating, or flashing lights is guilty of a Class 2 rather than a Class 4 felony. Effective immediately.

Apr 17 06 H Public Act 94-0730

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05339 Rep. Keith P. Sommer
 (Sen. Jeffrey M. Schoenberg)

215 ILCS 134/30

Amends the Managed Care Reform and Patient Rights Act. Prohibits health care plans from requiring enrollees to substitute their participating primary care physician during inpatient hospitalization, such as with a hospitalist physician licensed to practice medicine in all its branches (now, provides no example), without the agreement of the participating primary care physician. Effective immediately.

Jun 16 06 H Public Act 94-0866

HB 05342 Rep. Marlow H. Colvin-Monique D. Davis
 (Sen. Donne E. Trotter)

730 ILCS 125/5 from Ch. 75, par. 105

Amends the County Jail Act. Provides that the Illinois Department of Corrections shall pay the county one-half of the cost of incarceration of a person who is serving a term of mandatory supervised release for a felony if the person is incarcerated in a county jail on a new charge for a new offense (rather than being incarcerated for a violation of mandatory supervised release for the particular felony) for each day the person remains in the county jail only if (1) there is an outstanding warrant against the defendant issued by Illinois Department of Corrections for an alleged violation of a condition of mandatory supervised release based upon the acts alleged in the new charge; (2) a judge finds the defendant eligible for bond on the new charge; (3) the defendant is able to post the required bond; (4) the county notifies the Illinois Department of Corrections of the disposition of the bond hearing; and (5) the defendant remains in the custody of the county jail for more than 48 hours after the notice is provided to the Illinois Department of Corrections. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the County Jail Act. Provides that if a person who is serving a term of mandatory supervised release for a felony is incarcerated in a county jail, the Illinois Department of Corrections shall pay the county in which that jail is located one-half of the cost of incarceration, as calculated by the Governor's Office of Management and Budget and the county's chief financial officer, for each day that the person remains in the county jail after notice of the incarceration is given to the Illinois Department of Corrections by the county, provided that (i) the Illinois Department of Corrections has issued a warrant for an alleged violation of mandatory supervised release by the person; (ii) if the person is incarcerated on a new charge, unrelated to the offense for which he or she is on mandatory supervised release, there has been a court hearing at which bail has been set on the new charge; (iii) the county has notified the Illinois Department of Corrections that the person is incarcerated in the county jail, which notice shall not be given until the bail hearing has concluded, if the person is incarcerated on a new charge; and (iv) the person remains incarcerated in the county jail for more than 48 hours after the notice has been given to the Department of Corrections by the county. Effective immediately.

Senate Committee Amendment No. 1

Provides that if a person who is serving a term of mandatory supervised release is incarcerated in a county jail, following an arrest on a warrant issued by the Illinois Department of Corrections, solely for violation of a condition of mandatory supervised release and not on any new charges for a new offense, then the Illinois Department of Corrections shall pay the medical costs incurred by the county in securing treatment for that person, for any injury or condition other than one arising out of or in conjunction with the arrest of the person or resulting from the conduct of county personnel, while he or she remains in the county jail on the warrant issued by the Illinois Department of Corrections.

Senate Floor Amendment No. 2

Adds reference to:

725 ILCS 5/103-5 from Ch. 38, par. 103-5

Amends the Code of Criminal Procedure of 1963. Provides that the provision requiring a person to be tried within 160 days from the date that the person demands trial if the person is on bail or recognizance do not apply to a person on bail or recognizance for an offense but who is in custody for a violation of his or her parole or mandatory supervised release for another offense.

Jun 02 06 H Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05343 Rep. Jim Watson
 (Sen. Deanna Demuzio)

20 ILCS 2405/13 from Ch. 23, par. 3444

Amends the Disabled Persons Rehabilitation Act. Provides that the Department of Human Services has the authority to maintain and deposit into locally held accounts certain school fees and certain student-generated revenues and to use those fees and revenues to pay related expenses. Provides that these locally held accounts may not exceed \$20,000 per account (now, may not exceed \$10,000 per facility). Authorizes the Department to advance moneys from its appropriations to establish (i) a "Student Compensation Account" to pay students for work performed under the student work program, and (ii) a "Student Activity Travel Account" to pay transportation, meals, and lodging costs of students, coaches, and activity sponsors while traveling off campus for sporting events, lessons, and other activities directly associated with the representation of the school. Provides that funds in the "Student Compensation Account" shall not exceed \$20,000, and funds in the "Student Activity Travel Account" shall not exceed \$200,000. Effective immediately.

Jun 20 06 H Public Act 94-0887

HB 05348 Rep. Donald L. Moffitt-Michael K. Smith-Aaron Schock-Thomas Holbrook-David R. Leitch, Timothy L. Schmitz, Mike Boland, Patrick J Verschoore, Jack McGuire, Linda Chapa LaVia and Jack D. Franks
 (Sen. William R. Haine-Gary Forby)

New Act

Creates the Burn Injury Reporting Act. Requires that an immediate oral report and later a written report be filed of every burn injury that meets one of the following criteria: (i) a person receives a second-degree or third degree burn to 5% or more of the person's body as a whole; (ii) a person sustains a burn to the upper respiratory tract or occurring laryngeal edema due to the inhalation of superheated air; or (iii) a person sustains any burn injury likely to result in death. Provides that the oral report shall consist of notification by telephone within 4 hours of completion of the initial treatment of the burn injury victim to local law enforcement in the jurisdiction where the hospital is located. Lists what must be contained in the report. Provides that information collected in the burn injury reports that could identify the hospital, any health care professional, hospital staff, or the patient shall remain confidential and only be divulged as needed in the investigation or prosecution of a criminal offense. Provides that persons complying with the Act in good faith are not subject to civil or criminal liability or discipline for unprofessional conduct.

Senate Committee Amendment No. 1

Adds reference to:

5 ILCS 80/4.19a new

Replaces everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Permits (instead of requires) a hospital's administrator, manager, superintendent, or his or her designee (instead of all hospitals) to make an oral report to the State Fire Marshal in a timely manner as soon as treatment permits (instead of an immediate oral report and later a written report) for every case of a burn injury treated in a hospital that meets the listed criteria. Requires the State Fire Marshal to establish a toll-free number for burn reporting. Provides exceptions to the burn injury reporting requirements. Removes the 4 hour time limit for making the oral report. Limits the reporting requirements to hospitals that treat a patient initially for a burn injury. Provides that no information shall be included in the report naming or identifying any health care professional or hospital staff. Requires the Office of the State Fire Marshal to conduct a public information campaign working in conjunction with hospitals, physicians, and law enforcement to inform hospitals of the opportunity to report burn injuries to the toll-free number maintained by the Office pursuant to the Act. Makes other changes. Amends the Regulatory Sunset Act. Provides that the Burn Injury Reporting Act is repealed on January 1, 2009.

Senate Floor Amendment No. 2

Provides that in conducting the public information campaign, the Office of the State Fire Marshal shall also work in conjunction with fire investigators.

Jun 05 06 H Public Act 94-0828

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05375

Rep. Michelle Chavez-Chapin Rose-Daniel J. Burke-Susana A. Mendoza-Maria Antonia Berrios, Edward J. Acevedo, Daniel V. Beiser, Patricia R. Bellock, Mike Boland, Mike Bost, Richard T. Bradley, Dan Brady, James D. Brosnahan, Robert W. Churchill, Marlow H. Colvin, Elizabeth Coulson, Shane Cultra, Barbara Flynn Currie, John D'Amico, Lee A. Daniels, Monique D. Davis, William Davis, William Delgado, Lisa M. Dugan, Kenneth Dunkin, Jim Durkin, Joe Dunn, Roger L. Eddy, Sara Feigenholtz, Robert F. Flider, Mary E. Flowers, Jack D. Franks, John A. Fritchey, Calvin L. Giles, Esther Golar, Careen M. Gordon, Deborah L. Graham, Kurt M. Granberg, Julie Hamos, Jay C. Hoffman, Constance A. Howard, Randall M. Hultgren, Naomi D. Jakobsson, Charles E. Jefferson, Lovana Jones, Kevin Joyce, Robin Kelly, Lou Lang, David R. Leitch, Patricia Reid Lindner, Joseph M. Lyons, Sidney H. Mathias, Frank J. Mautino, Karen May, Michael P. McAuliffe, Kevin A. McCarthy, Jack McGuire, Larry McKeon, David E. Miller, Donald L. Moffitt, Robert S. Molaro, Ruth Munson, Elaine Nekritz, Harry Osterman, Robert W. Pritchard, Harry R. Ramey, Jr., David Reis, Dan Reitz, Robert Rita, Kathleen A. Ryg, Angelo Saviano, Aaron Schock, Michael K. Smith, Keith P. Sommer, Cynthia Soto, Ron Stephens, Ed Sullivan, Jr., Michael Tryon, Patrick J. Verschoore, Eddie Washington, Dave Winters, Karen A. Yarbrough, Wyvetter H. Younge and Linda Chapa LaVia

(Sen. Mattie Hunter-Rickey R. Hendon-Jacqueline Y. Collins-Iris Y. Martinez, James T. Meeks and Kimberly A. Lightford)

325 ILCS 5/4

from Ch. 23, par. 2054

Amends the Abused and Neglected Child Reporting Act. Provides that "school personnel" who are mandated reporters of child abuse or neglect include administrators and both certified and non-certified school employees. Provides that any school board member who has actual knowledge that a child enrolled in the school district of which he or she is a board member is an abused child as defined in the Act shall immediately report that knowledge to DCFS or cause such a report to be made to DCFS. Provides that within one year after the effective date of this amendatory Act or within one year after becoming a mandated reporter, whichever is later, a person mandated to report suspected abuse or neglect under the Act must do one of the following: (1) read the requirements of the Act concerning mandated reporters, or read a document prepared by or approved by DCFS concerning child abuse and neglect and the making of reports under the Act; or (2) sign a statement, on a form prescribed by or approved by DCFS, to the effect that the person understands his or her responsibilities as a mandated reporter. Makes it a Class 4 felony to fail to make a report to DCFS after receiving 2 or more reports of the same act, incident, or occurrence of child abuse or neglect. Effective immediately.

House Amendment No. 1

Replaces the bill's amendatory provisions concerning school board members; provides that if an allegation is raised to a school board member during the course of a school board meeting that a child who is enrolled in the school district is an abused child, the member must direct or cause the school board to direct the superintendent of the district or other equivalent school administrator to comply with the requirements of the Abused and Neglected Child Reporting Act concerning the reporting of child abuse (instead of providing that a school board member who has actual knowledge of child abuse shall immediately report that knowledge to the Department of Children and Family Services or cause such a report to be made to the Department). Deletes the bill's amendatory changes concerning criminal penalties for violations of the Act's reporting requirements.

House Amendment No. 2

Deletes amendatory provisions requiring a mandated reporter to (1) read the requirements of the Act concerning mandated reporters or read a document prepared by or approved by DCFS concerning child abuse and neglect and the making of reports under the Act or (2) sign a statement that the person understands his or her responsibilities as a mandated reporter.

Jun 20 06 H Public Act 94-0888

HB 05376 Rep. Terry R. Parke
(Sen. Don Harmon-Arthur J. Wilhelmi)

805 ILCS 5/6.15 from Ch. 32, par. 6.15
805 ILCS 5/8.75 from Ch. 32, par. 8.75
805 ILCS 5/11.70 from Ch. 32, par. 11.70
805 ILCS 5/12.56
805 ILCS 180/15-5
805 ILCS 180/15-6 new

Amends the Business Corporation Act of 1983. Requires that fair value (instead of just value) be paid for a fractional share that is paid in cash. Defines "fair value". Provides that, in the list of those who can make a determination for purposes of indemnification of a present or former director, officer, employee or agent in a particular case, the determination shall be by a committee of the directors who are not parties to such action, suit, or proceeding, even though less than a quorum, designated by a majority vote of the directors (instead of a committee of directors designated by a majority vote of the directors). Amends the Limited Liability Company Act. Provides that the operating agreement may not contain any provision inconsistent with the voting provisions in the listed Section. Limits situations in which a person may vote to ratify or approve matters.

House Amendment No. 1

Deletes reference to:

805 ILCS 180/15-5

Deletes reference to:

805 ILCS 180/15-6 new

Replaces everything after the enacting clause. Reinserts the provisions of the original bill. In the Limited Liability Company Act, removes the language that limits situations in which a person may vote to ratify or approve matters.

Jun 20 06 H Public Act 94-0889

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05377 Rep. Ruth Munson-Lisa M. Dugan-Timothy L. Schmitz-Rosemary Mulligan-Elaine Nekritz, Elizabeth Coulson, Robin Kelly, Kurt M. Granberg, Kathleen A. Ryg and Eddie Washington
 (Sen. Debbie DeFrancesco Halvorson-Susan Garrett-Iris Y. Martinez and Terry Link-M. Maggie Crotty-Jacqueline Y. Collins)

765 ILCS 745/6 from Ch. 80, par. 206

765 ILCS 745/8 from Ch. 80, par. 208

765 ILCS 745/8.5 new

765 ILCS 745/9 from Ch. 80, par. 209

Amends the Mobile Home Landlord and Tenant Rights Act. Provides a refund procedure for a lease or purchase agreement that a prospective tenant cancels within 5 days after signing the lease or purchase agreement. Provides that a landlord is limited to 2 months rent for a tenant's early termination of the lease. Provides that if a tenant leaves the park because of temporary illness or disability, the park owner shall allow relatives designated by the tenant or the tenant's guardian to live in the home. Provides for automatic lease renewal for 2 years unless certain requirements are met, such as a 30-day notice and a notice of reasons for the non-renewal of the lease. Provides that the park owner is to give 12 months notice of closing all or part of the park. Provides for the park owner and tenant or tenant association to use a State certified general real estate appraiser, selected by the parties or the court, to prepare an appraisal to determine the appropriate amount for rent and fees. Provides that the appraisal is subject to court review. Makes other changes.

House Amendment No. 1

Deletes reference to:

765 ILCS 745/6

Deletes reference to:

765 ILCS 745/8

Deletes reference to:

765 ILCS 745/8.5

Deletes reference to:

765 ILCS 745/9

Adds reference to:

765 ILCS 745/6.3 new

Deletes everything after the enacting clause. Amends the Mobile Home Landlord and Tenant Rights Act. Provides that when a mobile home park is owned by an entity that is publicly traded, listed on the New York Stock Exchange or American Stock Exchange, listed on the system operated by the National Association of Securities Dealers, or is held or owned by an entity that is described by those criteria, the following conditions apply: 1) a refund procedure for a lease or purchase agreement that a prospective tenant cancels within 5 days after signing the lease or purchase agreement; 2) a landlord is limited to the amount of 2 months rent for a tenant's early termination of the lease; 3) if a tenant leaves the park because of a temporary illness or disability, the park owner shall allow relatives designated by the tenant or the tenant's guardian to live in the home; 4) automatic lease renewal for 2 years unless certain requirements are met, such as a 30-day notice and a notice of reasons for the non-renewal of the lease; 5) the park owner is to give 12 months notice of a decision to close all or part of the park; 6) when the amount of rent is disputed, the park owner and tenant or tenant association shall use a State certified general real estate appraiser, selected by the parties or the court, to prepare an appraisal to determine the appropriate amount for rent and fees; and 7) the appraisal is subject to court review.

House Amendment No. 2

Adds reference to:

765 ILCS 745/6

from Ch. 80, par. 206

Deletes everything after the enacting clause. Amends the Mobile Home Landlord and Tenant Rights Act. Provides that when a mobile home park is owned by an entity that is publicly traded on any national stock or securities exchange, then the following conditions apply: 1) a refund procedure for a lease or purchase agreement that a prospective tenant cancels within 5 days after signing the lease or purchase agreement; 2) a landlord is limited to the amount of 2 months rent for a tenant's early termination of the lease; 3) if a tenant leaves the park because of a temporary illness or disability, the park owner shall allow relatives designated by the tenant or the tenant's guardian to live in the home; 4) automatic lease renewal for 2 years unless certain requirements are met, such as a 30-day notice and a notice of reasons for the non-renewal of the lease; 5) the park owner is to give 12 months notice of a decision to close all or part of the park; 6) when the amount of rent is disputed, the park owner and tenant or tenant association shall use a State certified general real estate appraiser, selected by the parties or the court, to prepare an appraisal to determine the appropriate amount for rent and fees; and 7) the appraisal is subject to court review.

Land Conveyance Appraisal Note (H-AM 2) (Dept. of Transportation)

As there are no parcels of land being conveyed in this bill, there are no appraisals to be filled by the Department of Transportation.

HB 05377 (CONTINUED)

May 08 06 H Governor Vetoed

HB 05407 Rep. Mark H. Beaubien, Jr., Dan Reitz, Brandon W. Phelps, John E. Bradley, Daniel V. Beiser and Robert F. Flider
 (Sen. Todd Sieben and Dan Rutherford-Arthur J. Wilhelmi-Gary Forby-Deanna Demuzio)

520 ILCS 5/1.1 from Ch. 61, par. 1.1

Amends the Wildlife Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

520 ILCS 5/1.1 from Ch. 61, par. 1.1

Adds reference to:

520 ILCS 5/2.10 from Ch. 61, par. 2.10

Adds reference to:

520 ILCS 5/2.11 from Ch. 61, par. 2.11

Adds reference to:

520 ILCS 5/2.26 from Ch. 61, par. 2.26

Adds reference to:

520 ILCS 5/3.1 from Ch. 61, par. 3.1

Adds reference to:

520 ILCS 5/3.1-5 new

Deletes everything after the enacting clause. Provides that the Department shall establish an apprentice hunter program authorizing a resident parent, guardian, or grandparent of a youth who is at least 10 years old and not more than 15 years old to apply to the Department for an Apprentice Hunter Permit when that resident applicant applies for any permit or hunting license. Sets forth that in order to be eligible for this Apprentice Hunter Permit the applicant must be a resident of Illinois, meet the requirements for obtaining the permit or license for which the applicant is applying, request an Apprentice Hunter Permit on a form designated and made available by the Department, and submit a \$7 fee, which is separate from and additional to any other stamp, permit, tag, or license fee required under this Code. Provides that for approved applicants, the Department shall issue an Apprentice Hunter Permit that authorizes a designated son, daughter, ward, or grandchild of the permit holder to exercise the same hunting privileges as the permit holder when accompanying that permit holder on a supervised hunt. Sets forth that the Department shall adopt suitable administrative rules that are reasonable and necessary for the administration of the program, but shall not require any certificate of competency or other hunting education as a condition of the Apprentice Hunter Permit. Makes corresponding changes.

Senate Floor Amendment No. 2

Deletes reference to:

520 ILCS 5/2.10 from Ch. 61, par. 2.10

Deletes reference to:

520 ILCS 5/2.11 from Ch. 61, par. 2.11

Deletes reference to:

520 ILCS 5/2.26 from Ch. 61, par. 2.26

Deletes everything after the enacting clause. Amends the Wildlife Code. Creates the Apprentice Hunter License Program to extend limited hunting privileges, in lieu of a valid hunting license, to persons interested in learning about hunting sports. Provides that any resident who is at least 10 years old may apply to the Department for an Apprentice Hunter License, a one-time, non-renewable license that shall expire on the March 31 following the date of issuance. Sets forth that for persons aged 10 through 17, the Apprentice Hunter License shall entitle the licensee to hunt while supervised by a validly licensed resident parent, guardian, or grandparent and for persons 18 or older the Apprentice Hunter License shall entitle the licensee to hunt while supervised by a validly licensed resident hunter. Provides that the License does not exempt the licensee from compliance with the requirements of the Wildlife Code. Sets forth that to be approved for this license the applicant must be a resident of Illinois, request an Apprentice Hunter License on a form designated and made available by the Department, and submit a \$7 fee, which shall be separate from and additional to any other stamp, permit, tag, or license fee that may be required for hunting. Authorizes the Department to adopt suitable administrative rules for the administration of the program. Makes other changes. Effective immediately.

Jul 14 06 H Public Act 94-1024

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05416 Rep. Sidney H. Mathias-Donald L. Moffitt-JoAnn D. Osmond-Lisa M. Dugan-Paul D. Froehlich and Kathleen A. Ryg
 (Sen. Terry Link)

105 ILCS 5/1B-22

Amends the School Code. Makes a technical change in a Section concerning a financial oversight panel's powers.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/1B-22

Adds reference to:

105 ILCS 5/2-3.137

Adds reference to:

105 ILCS 5/3-14.20

from Ch. 122, par. 3-14.20

Deletes everything after the enacting clause. Amends the School Code. In a Section concerning the inspection and review of school facilities and the creation of a task force, provides that the State Board of Education shall adopt rules for the qualifications of persons performing the reviews and inspections, which must be consistent with the recommendations in the task force's report issued to the Governor and the General Assembly. In a Section concerning building plans and specifications, provides that inspections of school construction and alterations may be performed by qualified construction inspectors acting on behalf of municipalities or, if applicable, counties or fire protection districts who register with the regional superintendent of schools. Provides that these inspections must be based on the model building codes referenced in the Health/Life Safety Code for Public Schools.

House Amendment No. 2

Provides that the inspections of school construction and alterations must be based on the building code authorized in the School Code (instead of the model building codes references in the Health/Life Safety Code for Public Schools).

Senate Committee Amendment No. 1

Deletes reference to:

105 ILCS 5/3-14.20

Adds reference to:

105 ILCS 5/3-14.21

from Ch. 122, par. 3-14.21

Provides that the qualifications of persons performing reviews and inspections of school facilities shall include requirements for training, education, and at least 2 years of relevant experience. Removes the provision that provides that inspections of school construction and alterations may be performed by qualified construction inspectors acting on behalf of municipalities or, if applicable, counties or fire protection districts who register with the regional superintendent of schools. Provides instead that if a municipality or, in the case of an unincorporated area, a county or, if applicable, a fire protection district wishes to perform new construction inspections under the jurisdiction of a regional superintendent of schools, then the entity must register this wish with the regional superintendent of schools. Provides that these inspections must be based on the building code authorized in the School Code and must be at no cost to the school district.

Jun 30 06 H Public Act 94-0973

HB 05429 Rep. David Reis
 (Sen. John O. Jones)

110 ILCS 805/2-1

from Ch. 122, par. 102-1

Amends the Public Community College Act. Makes a technical change in a Section concerning the Illinois Community College Board.

House Amendment No. 1

Deletes reference to:

110 ILCS 805/2-1

Adds reference to:

110 ILCS 805/2-23 new

Deletes everything after the enacting clause. Amends the Public Community College Act. Requires the Illinois Community College Board to implement and administer a 3-year, mobile response workforce training pilot program at 3 community colleges to address the fact that businesses are struggling to recruit a qualified workforce because of the frequent emergence of new technologies in the workplace and subsequent skill set requirements. Sets forth requirements for the program. Sets forth the Board's powers and duties with respect to the program. Effective immediately.

Jun 20 06 H Public Act 94-0890

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05506 Rep. Art Tenhouse-William B. Black
(Sen. John M. Sullivan)

625 ILCS 5/6-505 from Ch. 95 1/2, par. 6-505

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the duty of a commercial motor vehicle driver to report certain information to a potential employer.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/6-505

Adds reference to:

625 ILCS 5/15-102

from Ch. 95 1/2, par. 15-102

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that the width of a recreational vehicle may exceed 8 feet 6 inches if the excess width is attributable to appurtenances that extend 6 inches or less beyond either side of the body of the vehicle.

Senate Floor Amendment No. 1

Provides that a recreational vehicle with a width in excess of 8 feet 6 inches may be operated only on a roadway with lanes for vehicular traffic that are at least 11 feet in width or between such a roadway and certain specified destinations.

Senate Floor Amendment No. 2

Provides that a roadway is not permissible for these vehicles under all circumstances unless the traffic lanes of the roadway are marked.

Jun 27 06 H Public Act 94-0949

HB 05550 Rep. Calvin L. Giles-Monique D. Davis
(Sen. Kimberly A. Lightford)

105 ILCS 5/18-17 from Ch. 122, par. 18-17

Amends the School Code. In a provision concerning the loan of textbooks by the State Board of Education, provides that certain bonding requirements do not apply to the loan of textbooks.

Jun 26 06 H Public Act 94-0927

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05555 Rep. Renee Kosel-Kevin A. McCarthy-Kurt M. Granberg
(Sen. James F. Clayborne, Jr.-Christine Radogno-M. Maggie Crotty and Pamela J. Althoff)

220 ILCS 5/4-605 new

220 ILCS 5/8-302.5 new

220 ILCS 5/8-302.7 new

220 ILCS 5/8-302.9 new

220 ILCS 5/8-303.5 new

220 ILCS 5/9-201 from Ch. 111 2/3, par. 9-201

220 ILCS 5/9-220.5 new

220 ILCS 5/9-220.7 new

220 ILCS 5/9-223 from Ch. 111 2/3, par. 9-223

Amends the Public Utilities Act. Sets forth certain rights for water and sewer public utility customers. Requires a water or sewer public utility to file a tariff with the Illinois Commerce Commission, if requested to do so by a municipality, for metered water service used for building construction purposes. Requires the Commission to adopt rules to establish standards for subcontractors of for-profit water and sewer utilities. Requires the Commission to establish a formula for true-up charges that take into account certain conservation factors. Prohibits a water public utility from charging a customer during the time the customer's meter is malfunctioning and requires the utility to test a customer's meter under certain circumstances. Requires the Commission to hold public forums before any hearing on a rate increase with respect to a water or sewer public utility. Requires each water and sewer public utility to establish a unit rate, subject to review by the Commission, for customers with low usage rates. Requires a water or sewer utility to offer separate rates for water and sewer service to any commercial or residential customer who uses separate meters to measure each of those services. Requires the Commission to conduct at least 3 public forums throughout the State to evaluate the purpose and use of fire protection charges imposed by public utilities and to report its findings and recommendations to the General Assembly no later than the last day of the veto session in 2006. Effective immediately.

House Amendment No. 1

Deletes reference to:

220 ILCS 5/4-605 new

Deletes reference to:

220 ILCS 5/8-302.5 new

Deletes reference to:

220 ILCS 5/8-302.7 new

Deletes reference to:

220 ILCS 5/8-302.9 new

Deletes reference to:

220 ILCS 5/8-303.5 new

Deletes reference to:

220 ILCS 5/9-201 from Ch. 111 2/3, par. 9-201

Deletes reference to:

220 ILCS 5/9-220.5 new

Deletes reference to:

220 ILCS 5/9-220.7 new

Adds reference to:

New Act

HB 05555 (CONTINUED)

Replaces everything after the enacting clause with the bill as introduced with the following changes: Moves all of the provisions, except the provisions concerning fire protection charges, to a new Act entitled the Water and Sewer Utility Customer Service Act. Provides that the water bill of rights must detail what rights a customer has when an annual reconciliation is filed that will increase the amount billed to the customer. Provides that the Illinois Commerce Commission shall determine the penalties that shall be imposed on the utility for noncompliance with the customer's water bill of rights. Provides that a customer must be at least 60 days in arrears before a shutoff notice can be issued and that the Commission shall establish procedures to set aside a shutoff notice if it affects the safety and welfare of the community. Provides that the procedures shall be published and provided to the municipality or townships served by the utility. Replaces references to "true-up" with "annual reconciliation". Provides that, at the request of a municipality or township within the service area of a public utility that provides water service to customers within the municipality or township, a public utility must (i) require all water service used for building construction purposes to be measured by meter and subject to approved rates and charges for metered water service and (ii) prohibit the unauthorized use of water taken from hydrants or service lines installed at construction sites. Provides that the Commission shall establish sanctions for violations of any conservation agreements. Makes changes concerning the public forum requirement when any public utility providing water or sewer service proposes a rate increase. Makes other changes. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

220 ILCS 5/8-306 new

Adds reference to:

220 ILCS 5/9-223

from Ch. 111 2/3, par. 9-223

Replaces everything after the enacting clause. Amends the Public Utilities Act. Requires the Illinois Commerce Commission to prepare, make available to customers upon request, and post on its Internet web site information concerning the service obligations of water and sewer utilities and remedies that a customer may pursue for a violation of the customer's rights. Provides circumstances under which water or sewer utilities may discontinue services. Provides for the testing of water meters. Requires public utilities to notify customers of their right to request a public forum when the public utilities providing water or sewer services propose a general rate increase. Requires the Commission to conduct at least 3 public forums to evaluate the purpose and use of fire protection charges and provides guidelines for those forums. Makes other changes. Effective immediately.

Senate Floor Amendment No. 2

Corrects a reference to a provision of the Illinois Administrative Code concerning testing of service water meters.

Jun 27 06 H Public Act 94-0950

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

HB 05578 Rep. Karen May-Barbara Flynn Currie-Sara Feigenholtz-William B. Black-Paul D. Froehlich, Harry Osterman, Kathleen A. Ryg, Julie Hamos, Kevin A. McCarthy, John A. Fritchey, Chapin Rose, Karen A. Yarbrough, Thomas Holbrook, Elaine Nekritz, Carolyn H. Krause, Mary E. Flowers, Dave Winters, Naomi D. Jakobsson, Constance A. Howard, Wyvetter H. Younge, Elizabeth Coulson, Patricia Reid Lindner, Eddie Washington, Larry McKeon, Monique D. Davis, John D'Amico, Mike Boland, Rich Brauer, Patricia R. Bellock, Aaron Schock, Jack D. Franks, Linda Chapa LaVia, Sandra M. Pihos and Randall M. Hultgren
 (Sen. Terry Link-Mattie Hunter-Martin A. Sandoval-Susan Garrett, Ira I. Silverstein, John J. Cullerton-Don Harmon and Jacqueline Y. Collins)

New Act

Creates the Mercury Switch Removal Act. Provides that mercury switches removed from end-of-life vehicles must be managed in accordance with the Environmental Protection Act and regulations adopted thereunder. Requires vehicle recyclers, vehicle crushers, and scrap metal recyclers that remove mercury switches to maintain certain records and make reports relating to the mercury switches removed. Requires manufacturers of vehicles in Illinois that contain mercury switches to begin a mercury switch collection program, within 60 days of the effective date of this Act, that facilitates the removal of mercury switches from end-of-life vehicles prior to the vehicles being flattened, crushed, shredded, or otherwise processed for recycling. Sets forth that these programs must, to the extent practicable, use the currently available vehicle recycling infrastructure and be designed to achieve a capture rate of not less than (i) 35% for the period of July 1, 2006, through June 30, 2007; (ii) 50% for the period of July 1, 2007, through June 30, 2008; and (iii) 70% for the period of July 1, 2008, through June 30, 2009 and for each subsequent period of July 1 through June 30. Sets forth certain requirements for these collection programs including that each manufacturer adopt an implementation plan for their mercury switch collection program. Provides that if the required capture rates are not met, the Agency shall provide notice to the manufacturers subject to the collection requirements, and that beginning 30 days after the Agency first provides notice, a vehicle recycler that sells, gives, or otherwise conveys an end-of-life vehicle to an on-site or off-site vehicle crusher or a scrap metal recycler must remove all mercury switches from the vehicle prior to its conveyance, and that manufacturers subject to these collection requirements must provide to vehicle recyclers, vehicle crushers, and scrap metal recyclers (i) \$2.00 for each mercury switch removed by the vehicle recycler, vehicle crusher, or the scrap metal recycler, (ii) the costs of the containers in which the mercury switches are collected, and (iii) the costs of packaging and transporting the mercury switches off-site. Provides civil penalties for violations of the Act. Authorizes periodic reviews of these programs. Repeals the Act on January 1, 2018. Contains other provisions. Effective immediately.

Fiscal Note (Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Fiscal Note (Illinois Environmental Protection Agency)

HB 5578 will not impose any significant fiscal impact on the Illinois EPA. The Agency would be required to review the mercury switch collection program developed by the automakers and assist with educational outreach efforts to promote the program. Existing resources would be used to conduct these activities.

State Debt Impact Note (Commission on Gov't Forecasting and Accountability)

HB 5578 would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of the bill, it has been determined that this legislation may cause a minimal increase in judicial workloads. However, the bill would not increase the number of judges needed in the state.

Housing Affordability Impact Note (Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Pension Note (Comm. on Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Balanced Budget Note (Gov. Office of Management & Budget)

It is unclear from the bill whether the compensation made by the manufacturers will be paid directly to vehicle crushers, recyclers, or scrap metal recyclers or through the agency. Therefore, we cannot estimate if HB 5578 will bring any new revenue, except for the penalties.

House Amendment No. 3

Provides that for civil penalties for failure to perform any duty imposed by this Act, the manufacturer must "willfully or knowingly" fail to perform these duties. Sets forth that second or subsequent violations shall result in a civil penalty not to exceed \$5,000 (instead of \$10,000). Provides that the manufacturers' duty to indemnify vehicle recyclers, vehicle crushers, and scrap metal recyclers for liabilities arising from releases from a mercury switch under the Act is subject to that switch being managed in accordance with the Environmental Protection Act and regulations adopted thereunder prior to transfer under the manufacturer's collection program. Changes the Act's repealer date to January 1, 2011 (instead of January 1, 2018).

Fiscal Note (H-AM 3) (Ill. Environmental Protection Agency)

HB 05578 (CONTINUED)

HB 5578 will not impose any significant fiscal impact on the Illinois EPA. The Agency would be required to review the mercury switch collection program developed by the automakers and assist with educational outreach efforts to promote the program. Existing resources would be used to conduct these activities.

Home Rule Note (H-AM 3) (Dept. of Commerce & Econ Opportunity)

Does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 3) (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

State Debt Impact Note (H-AM 3) (Com. on Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of state-issued or state-supported bond, and therefore would not affect the level of State indebtedness.

Judicial Note (H-AM 3) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Pension Note (H-AM 3) (Com. on Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Housing Affordability Impact Note (H-AM 3)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Apr 24 06

H Public Act 94-0732

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00014 Sen. Donne E. Trotter-Don Harmon-Mattie Hunter-Ira I. Silverstein, Martin A. Sandoval, Iris Y. Martinez, James T. Meeks and Arthur J. Wilhelmi-Jacqueline Y. Collins
(Rep. Jay C. Hoffman, Milton Patterson, Arthur L. Turner, Annazette Collins and Kathleen A. Ryg)

New Act

30 ILCS 5/3-1 from Ch. 15, par. 303-1

30 ILCS 105/5.640 new

Creates the Illinois Opportunity Fund Act. Contains provisions intended to increase the availability and facilitate the delivery of institutional venture capital and private equity investment to emerging and expanding enterprises in the State of Illinois. Defines the role of the Department of Commerce and Economic Opportunity. Creates the Illinois Opportunity Fund and provides for the creation of the Illinois Capital Investment Corporation. Amends the State Finance Act to create the Illinois Opportunity Special Projects Fund. Amends the Illinois State Auditing Act to authorize audits of the Corporation and the Fund. Contains other provisions. Effective immediately.

Fiscal Note (Commission on Gov't Forecasting and Accountability)

Senate Bill 14 would reduce State corporate income tax revenue by a maximum of \$40 million per year beginning in tax year 2010 and ending with tax year 2033.

Senate Floor Amendment No. 1

Amends the Illinois Opportunity Fund Act. Makes technical changes.

Senate Floor Amendment No. 3

Deletes everything after the enacting clause. Reinserts the contents of the bill as introduced but makes the following changes. Requires the Illinois Capital Investment Corporation Board to develop a policy stating the Board's plan for the use of financial services corporations owned by minorities, females, and persons with disabilities and requires the Corporation to report annually to the Governor and the General Assembly regarding the use of financial services corporations owned by minorities, females, and persons with disabilities. Makes other technical changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

30 ILCS 5/3-1

Deletes reference to:

30 ILCS 105/5.640 new

Deletes everything after the enacting clause. Creates the Illinois Opportunity Fund Act. Contains only a short title.

House Amendment No. 2

Deletes reference to:

New Act

Adds reference to:

30 ILCS 105/8h

Adds reference to:

30 ILCS 105/8j

Adds reference to:

30 ILCS 105/8n new

Deletes everything after the enacting clause. Amends the State Finance Act. Provides that the first \$250,000,000 of transfers directed to be made under Section 8h or 8j of the Act on or before February 28, 2006 that are still pending on the effective date of this amendatory Act shall be redirected to the Drug Rebate Fund, the Hospital Provider Fund, and the Long-term Care Provider Fund, in equal amounts, rather than to the General Revenue Fund. Requires completion of these transfers within 7 days. Provides that henceforward the Governor, rather than the Governor's Office of Management and Budget, will direct transfers and allocate moneys under Section 8j of the Act. Also makes technical changes. Effective immediately.

Fiscal Note (H-AM 2)(Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will have a positive impact to the State's budget. As the legislation directs the Treasurer and Comptroller to perform certain transfers of up to \$250,000,000 into each to the Drug Rebate Fund, Hospital Provider Fund, and the Long Term Care Provider Fund (which will in turn generate an equal amount in federal Medicaid reimbursement), completing these transactions will reduce the payment cycles to providers paid by these funds by as many as twenty-two days, which will in turn reduce prompt payments interest penalties paid to providers.

Balanced Budget Note (H-AM 2)(Gov. Office of Management & Budget)

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00014 (CONTINUED)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will have a positive impact to the State's budget. As the legislation directs the Treasurer and Comptroller to perform certain transfers of up to \$250,000,000 into each to the Drug Rebate Fund, Hospital Provider Fund, and the Long Term Care Provider Fund (which will in turn generate an equal amount in federal Medicaid reimbursement), completing these transactions will reduce the payment cycles to providers paid by these funds by as many as twenty-two days, which will in turn reduce prompt payments interest penalties paid to providers.

Judicial Note (H-AM 2) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

State Debt Impact Note (H-AM 2) (Com. on Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of state-issued or state-supported bond, and therefore would not affect the level of state indebtedness.

Pension Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

SB 14 (H-AM 2) will not impact any public pension fund or retirement system in Illinois.

Correctional Note (H-AM 2)(Dept of Corrections)

There is no corrections population impact on the Department.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Home Rule Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 14 (H-AM 2) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 14 (H-AM 2) does not create a State mandate under the State Mandates Act.

May 19 06

S Public Act 94-0774

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00017 Sen. Gary Forby-Martin A. Sandoval-James F. Clayborne, Jr. and Pamela J. Althoff

(Rep. Linda Chapa LaVia-Brandon W. Phelps-John E. Bradley-Angelo Saviano, Gary Hannig, Patricia Reid Lindner, Mike Bost, Jack McGuire, Wyvetter H. Younge, Dan Reitz, William Davis, Kurt M. Granberg, Frank J. Mautino, Harry R. Ramey, Jr., Annazette Collins, Careen M Gordon, Eddie Washington, Randall M. Hultgren, William B. Black, Michael P. McAuliffe, Donald L. Moffitt, Mike Boland and Patrick J Verschoore)

New Act

Creates the Southern Illinois Economic Development Authority Act. Establishes the Southern Illinois Economic Development Authority in Franklin, Perry, Randolph, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac counties in order to promote economic development within those counties. Contains provisions concerning the powers and duties of the Authority. Allows the Authority to acquire, own, sell, lease, or otherwise dispose of interests in real property and to issue bonds, notes, or other evidences of indebtedness for certain purposes in an aggregate amount not to exceed \$250,000,000. Provides that the Authority shall be governed by a 21-member board. Contains other provisions. Effective immediately.

House Amendment No. 1

Adds reference to:

20 ILCS 3501/825-13 new

Deletes everything after the enacting clause. Reinserts the provisions of the bill as engrossed with the following changes:

Deletes provisions concerning the Southern Illinois Economic Development Authority's power to create enterprise zones and concerning the State's moral obligation concerning the Authority's bonds. Amends the Illinois Finance Authority Act. Provides that all bond issuances of the Southern Illinois Economic Development Authority are subject to supervision, management, control, and approval of the Illinois Finance Authority. Effective immediately.

House Amendment No. 3

Deletes reference to:

20 ILCS 805/805-550 new

Adds reference to:

New Act

Adds reference to:

20 ILCS 605/605-907 new

Adds reference to:

20 ILCS 715/5

Adds reference to:

35 ILCS 5/201

from Ch. 120, par. 2-201

Adds reference to:

35 ILCS 5/203

from Ch. 120, par. 2-203

Adds reference to:

35 ILCS 105/12

from Ch. 120, par. 439.12

Adds reference to:

35 ILCS 110/12

from Ch. 120, par. 439.42

Adds reference to:

35 ILCS 115/12

from Ch. 120, par. 439.112

Adds reference to:

35 ILCS 120/2-54 new

Adds reference to:

35 ILCS 200/18-170

Adds reference to:

415 ILCS 5/58.13

Adds reference to:

415 ILCS 5/58.14

SB 00017 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended by House Amendment No. 1 with the following changes: In the Southern Illinois Economic Development Authority Act, deletes the requirement that all bond issuances of the Southern Illinois Economic Development Authority are subject to supervision, management, control, and approval of the Illinois Finance Authority. Creates the River Edge Redevelopment Zone Act. Sets forth procedures for the creation of 2 pilot zones, one in the City of East St. Louis and one in the City of Aurora, to be designated and certified as a River Edge Redevelopment Zone. Sets forth procedures for amendments to and decertifications of zones. Sets forth procedures for the adoption of tax increment financing within a zone. Contains other provisions concerning zone administration. Amends the Department of Commerce and Economic Opportunity Law of the Illinois Civil Administrative Code. Authorized the Department of Commerce and Economic Opportunity to establish and maintain a program to provide grants and assistance with respect to River Edge Redevelopment Zones. Amends the Corporate Accountability For Tax Expenditures Act. Includes, within the definition of "developmental assistance", tax credits, exemptions, grants, and loans concerning River Edge Redevelopment Zones. Amends the Illinois Income Tax Act. Provides that certain existing credits apply to business enterprises within a River Edge Redevelopment Zone. Creates a River Edge Redevelopment Zone site remediation tax credit. Creates a deduction for dividends paid by a corporation that operates within a River Edge Redevelopment Zone. Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Creates an exemption for building materials to be incorporated into real estate within a River Edge Redevelopment Zone. In various Acts, exempts the tax credits and deductions for River Edge Redevelopment Zones from tax sunset provisions. Amends the Property Tax Code. Authorizes taxing districts to abate property taxes for property within River Edge Redevelopment Zones. Amends the Environmental Protection Act. Provides that sites within River Edge Redevelopment Zones are included as brownfield sites under the Municipal Brownfields Redevelopment Grant Program. Requires the Environmental Protection Agency to jointly review, with the Department of Commerce and Economic Opportunity, applications for the Environmental Remediation Tax Credit and sets the fee for review at \$250 for each site. Increases the maximum brownfield grant from \$240,000 to \$2,000,000 for River Edge Development Zone sites. Makes other changes. Effective immediately.

Balanced Budget Note (H-AM 3)(Gov. Office of Management & Budget)

Fiscal Impact - Southern Illinois Economic Development Authority: There is no fiscal impact estimated with the Southern Illinois Economic Development Authority, The River Edge Redevelopment Zone Act is a new program to be administered by the Department of Commerce and Economic Opportunity (DCEO) in partnership with the Environmental Protection Agency (EPA) that targets communities adjacent to or surrounding a river area to revive or redevelop environmentally challenged properties in hopes of stimulating economic development. This will begin as a pilot project targeting East St. Louis and Aurora. DCEO would be authorized to make grants to communities, municipalities or organizations for redevelopment activities. EPA would be authorized to make grants for remediation of environmental hazards. Funding of \$20 million is included in the introduced budget for this program, \$15 million for DCEO, and \$5 million for EPA. In order to foster the development, certain tax credit incentives are being offered. It is estimated that these incentives will be worth \$6.3 million in the first year of the program. These costs were estimated in the introduced budget.

Judicial Note (H-AM 3) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

State Debt Impact Note (H-Am 3) (Com. on Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of state-issued or state-supported bond, and therefore would not affect the level of state indebtedness.

Pension Note (H-AM 3)(Comm on Gov't Forecasting & Accountability)

SB 17 (H-AM 3) will not impact any public pension fund or retirement system in Illinois.

Correctional Note (H-AM 3)(Dept of Corrections)

There is no corrections population impact on the Department.

Housing Affordability Impact Note (H-AM 3)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Home Rule Note (H-AM 3)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 17 (H-AM 3) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 3)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 17 (H-AM 3) does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 3) (Dept. of Revenue)

SB 00017 (CONTINUED)

The legislation would result in approximately \$11.3 million in income tax and personal property tax replacement income tax credits and sales tax exemptions in calendar year 2007, approximately \$8.8 million in income tax and personal property tax replacement income tax credits and sales tax exemptions in calendar year 2008, approximately \$8.9 million in income tax and personal property tax replacement income tax credits and sales tax exemptions in calendar year 2009, and approximately \$1.3 million in income tax and personal property tax replacement income tax credits and sales tax exemptions in calendar year 2010 and in each year thereafter.

Jul 12 06 S Public Act 94-1021

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00049 Sen. Jeffrey M. Schoenberg, Todd Sieben-Don Harmon-Deanna Demuzio, John M. Sullivan-Kwame Raoul-Jacqueline Y. Collins, Cheryl Axley, John O. Jones, David Luechtefeld, Gary Forby, Bill Brady, M. Maggie Crotty, Frank C. Watson, Gary G. Dahl, Pamela J. Althoff, William R. Haine, Antonio Munoz, Rickey R. Hendon, Terry Link, Kimberly A. Lightford, James A. DeLeo, Iris Y. Martinez, Susan Garrett, John J. Cullerton, Mike Jacobs, Mattie Hunter, Emil Jones, Jr., Ira I. Silverstein, James T. Meeks, Carol Ronen, George P. Shadid, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Martin A. Sandoval, Donne E. Trotter, Louis S. Viverito, Miguel del Valle, Arthur J. Wilhelmi and Edward D. Maloney
(Rep. Careen M Gordon-Jay C. Hoffman-Marlow H. Colvin-Dan Reitz-Lisa M. Dugan, Robert W. Pritchard, Roger L. Eddy, Jerry L. Mitchell, Lou Lang, Kurt M. Granberg, Daniel V. Beiser, John E. Bradley, Jack D. Franks, Linda Chapa LaVia, Karen May, Patrick J Verschoore, Brandon W. Phelps, Thomas Holbrook, Michael K. Smith, Elaine Nekritz, Frank J. Mautino, Donald L. Moffitt, Paul D. Froehlich, Jim Sacia, Mike Boland, Naomi D. Jakobsson, Robert F. Flider, Kathleen A. Ryg, William B. Black, Julie Hamos, Wyvetter H. Younge, Shane Cultra, Patricia R. Bellock, Charles E. Jefferson, Ronald A. Wait, Aaron Schock and Terry R. Parke)

40 ILCS 5/7-219 from Ch. 108 1/2, par. 7-219

Amends the IMRF Article of the Illinois Pension Code. Prohibits a person convicted of a felony relating to or arising out of or in connection with his or her service as an employee who is an employee of more than one employer that participates in the Fund from receiving benefits based on any of his or her service as an employee for all employers that participate in the Fund. Provides that, if, as a result of the felony, the employee is ordered by the court to pay restitution to the employer, then (i) the employer may apply for a refund of employee contributions on the employee's behalf and (ii) pursuant to appropriate documentation from the employer and the court, the Fund shall pay to the employer all or a portion of the refund in a sum sufficient to satisfy the court-ordered restitution. Effective immediately.

Pension Note (Commission on Gov't Forecasting and Accountability)

The fiscal impact of Senate Bill 49 cannot be calculated, although it is expected to be minor.

House Amendment No. 1

Deletes reference to:

40 ILCS 5/7-219

Adds reference to:

40 ILCS 5/14-108.3

Adds reference to:

40 ILCS 5/15-155

from Ch. 108 1/2, par. 15-155

Adds reference to:

40 ILCS 5/15-168.1

Adds reference to:

40 ILCS 5/16-128

from Ch. 108 1/2, par. 16-128

Adds reference to:

40 ILCS 5/16-158

from Ch. 108 1/2, par. 16-158

Adds reference to:

40 ILCS 5/16-169.1

Replaces everything after the enacting clause. Amends the State Employee Article of the Illinois Pension Code. Changes to 2006 (was, 2013) the last year in which the Commission on Government Forecasting and Accountability must make its annual report concerning the savings and costs to the State associated with certain early retirement incentives. Amends the State University and Downstate Teacher Articles of the Illinois Pension Code. Sets forth procedures for calculating, reviewing, and collecting certain employer contributions based on excess salary. Provides that when assessing payment for when an employer must make certain contributions, the State Universities Retirement System and the Teachers' Retirement System of the State of Illinois shall exclude for a specified time period various salary increases and payments. Gives the secretaries of the Systems' boards the power to issue subpoenas to compel the attendance of witnesses and the production of documents and records in conjunction with the determination of the employer payments. Requires the Systems to file reports with the Governor and the General Assembly that contain specified information as to the effect of the amendatory Act and Public Act 94-4. Further amends the Downstate Teacher Article of the Illinois Pension Code. Provides that employer contributions for days granted by an employer in excess of the member's normal annual sick leave allotment shall be paid in the form of a lump sum within 30 days after receipt of the bill after the teacher begins receiving benefits under the Article. Effective immediately.

State Debt Impact Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

SB 49 (H-AM 1) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

SB 00049 (CONTINUED)

Pension Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

The Commission's actuary estimates that if the exempted salary resulting from the TRS portion of SB 49 (H-AM 1) amounts to 1% of the total TRS payroll, additional state contributions of \$984 million would be required over the life of the current funding plan (FY 2007 - FY 2045). The amount of exempted salary resulting from the SURS provisions has not been calculated, but is expected to be minor.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on construction, purchasing, owning, or selling a single-family residence.

Jun 01 06 S Sent to the Governor

SB 00094 Sen. Susan Garrett-Christine Radogno, Wendell E. Jones-Bill Brady and Pamela J. Althoff-Dan Cronin
(Rep. Sidney H. Mathias-Karen May-Kathleen A. Ryg-Renee Kosel, Elaine Nekritz, Michael Tryon, Robin Kelly, Jim Durkin and Patricia R. Bellock)

65 ILCS 5/11-13-25 new

Amends the Illinois Municipal Code. Provides that all final actions of the corporate authorities of a municipality under the Division of the Illinois Municipal Code concerning zoning shall be presumed valid and shall be subject to de novo judicial review. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

65 ILCS 5/11-13-25

Adds reference to:

65 ILCS 5/11-13-13 from Ch. 24, par. 11-13-13

Deletes everything after the enacting clause. Amends the Illinois Municipal Code. Provides that all final decisions of the corporate authorities of a municipality under the Zoning Division of the Code shall be deemed legislative actions. Effective immediately.

House Amendment No. 1

Deletes reference to:

65 ILCS 5/11-13-13

Adds reference to:

55 ILCS 5/5-12012.1 new

Adds reference to:

60 ILCS 1/110-50.1 new

Adds reference to:

65 ILCS 5/11-13-25 new

Deletes everything after the enacting clause. Amends the Illinois Municipal Code. Provides that certain zoning decisions of the corporate authorities of any municipality shall be subject to de novo judicial review as legislative decisions, regardless of whether the process of their adoption is considered administrative for other purposes. Provides that any action seeking judicial review of such a decision shall be commenced not later than 90 days after the date of the decision. Provides that the principles of substantive and procedural due process apply at all stages of the decision-making and review of all zoning decisions. Amends the Counties Code and the Township Code to add similar provisions. Effective immediately.

Jul 14 06 S Public Act 94-1027

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00176 Sen. Jeffrey M. Schoenberg-Deanna Demuzio and John M. Sullivan-Arthur J. Wilhelmi
(Rep. Gary Hannig-Kurt M. Granberg-Calvin L. Giles)

105 ILCS 5/11A-11 from Ch. 122, par. 11A-11

Amends the School Code. Makes a technical change in a Section concerning the organization of unit school districts.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/11A-11

Adds reference to:

105 ILCS 5/11A-2

from Ch. 122, par. 11A-2

Adds reference to:

105 ILCS 5/11A-8

from Ch. 122, par. 11A-8

Adds reference to:

105 ILCS 5/12-11.1

from Ch. 122, par. 12-11.1

Deletes everything after the enacting clause. Amends the School Code. Allows the territory of any high school district and fewer than all of the elementary school districts included within the high school district to be organized into a community unit school district. Provides that any such elementary school district not participating in the reorganization shall remain an elementary school district, and the territory of that elementary school district shall be designated a non-high school district. Provides that if a majority of the voters in any affected school district fails to vote in favor of a proposition to create a community unit school district, then that district's refusal shall not prevent the other affected school districts' reorganization. Provides that in the case of a non-high school district formed pursuant to the Article of the School Code concerning the organization of unit school districts, the board of education of the non-high school district shall levy a tax at the rate at which residents were previously taxed by the associated high school district. Provides that all proceeds from this tax shall be paid to the unit school district to which the non-high school district sends its students. Provides that if in any year the yield of the tax is insufficient to cover the tuition charges, then an amount shall be added to the taxes extended within the non-high school district in the following year to repay the deficiency. Effective July 1, 2005.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/11A-8

Deletes reference to:

105 ILCS 5/12-11.1

Deletes everything after the enacting clause. Amends the School Code. Makes a technical change in a Section concerning the organization of community unit school districts.

House Amendment No. 2

Deletes reference to:

105 ILCS 5/11A-2

Adds reference to:

20 ILCS 3915/4.5 new

Adds reference to:

30 ILCS 105/6z-67

Adds reference to:

105 ILCS 5/2-3.65a new

Adds reference to:

105 ILCS 5/2-3.131

Adds reference to:

105 ILCS 5/18-8.05

SB 00176 (CONTINUED)

Deletes everything after the enacting clause. Creates the FY2007 Budget Implementation (Education) Act. Provides that the purpose of the Act is to make changes in State programs that are necessary to implement the Governor's FY2007 budget recommendations concerning education. Amends the State Finance Act. Provides that the SBE Federal Department of Agriculture Fund is established to receive funds from the federal Department of Agriculture (instead of the federal Department of Education). Amends the School Code. Creates an arts and foreign language education grant program to fund arts education and foreign language education programs in the public schools, subject to appropriation to the State Board of Education. Provides that the grants shall be for the purpose of supporting arts and foreign language education in the schools, with an emphasis on ensuring that art and foreign language courses are available as part of a school's core curriculum. Provides that the State Board of Education shall enter into an agreement with the Illinois Arts Council to cooperate in administering and awarding grants under the program. Amends the Arts Council Act to make a related change. Further amends the School Code. Provides that if the amount that the State Board of Education will pay to a school district from fiscal year 2007 appropriations, as estimated on April 1, 2007, is less than the amount that the State Board paid to the district from fiscal year 2006 appropriations, then the State Board, subject to appropriation, shall make a fiscal year 2007 transitional assistance payment to the district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2007 appropriations and the amount paid from fiscal year 2006 appropriations. In the State aid formula provisions, increases the foundation level of support from \$5,164 to \$5,334 beginning with the 2006-2007 school year. With regard to supplemental general State aid, provides that (i) for the 2006-2007 school year, the grant shall be no less than the grant for the 2002-2003 school year, (ii) for the 2007-2008 school year, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66, and (iii) for the 2008-2009 school year, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33 (except that if for any school year supplemental general State aid grants are prorated, then the grants under this provision shall be prorated). Effective immediately.

Home Rule Note (H-AM 2) (Dept. of Commerce & Econ Opportunity.)

Does not pre-empt home rule authority.

Balanced Budget Note (H-AM 2) (Gov. Office of Management & Budget)

Will have impact of preserving a balanced State budget in fiscal year 2007.

Fiscal Note (H-AM 2) (State Board of Education)

The State Board of Education believes that SB 176 will have the following fiscal impact: Arts and Foreign Language program \$4,000,000; Transitional Assistance \$11,800,000; General State Aid foundation level \$238,800.00

State Mandates Fiscal Note (H-AM 2) (State Board of Education)

Does not create an unfunded mandate on any unit of local government.

Pension Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

This legislation would not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

Would not affect the level of state indebtedness.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State of Illinois.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single family residence.

Jun 06 06

S Public Act 94-0835

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00185 Sen. Ira I. Silverstein-Martin A. Sandoval
(Rep. Joseph M. Lyons-Daniel J. Burke-Angelo Saviano)

70 ILCS 2605/4.2 from Ch. 42, par. 323.2

Amends the Metropolitan Water Reclamation District Act. Deletes a provision that establishes a salary for each member of the civil service board of the Metropolitan Water Reclamation District. Provides that compensation for each member of the board shall be established by the District's Board of Commissioners as part of the annual budget process. Effective immediately.

House Amendment No. 1

Deletes reference to:

70 ILCS 2605/4.2

Adds reference to:

70 ILCS 2605/4 from Ch. 42, par. 323

Deletes everything after the enacting clause. Amends the Metropolitan Water Reclamation District Act. Provides that the Board, prior to January 1, 2007 and with a two-thirds vote, may increase the annual rate of compensation at a separate flat rate for each of the following: the president, the vice-president, the chairman of the committee on finance, and the other members; the increased annual rate of compensation shall apply to all such officers and members whose terms as members of the board commence after the increase in compensation is adopted by the board. Effective immediately.

Jun 01 06 S Sent to the Governor

SB 00230 Sen. Don Harmon-Donne E. Trotter
(Rep. Barbara Flynn Currie-Dan Reitz)

35 ILCS 5/203 from Ch. 120, par. 2-203

Amends the Illinois Income Tax Act. For taxable years ending on or after December 31, 2005, allows a deduction of up to \$10,000 if the taxpayer or dependent of the taxpayer, while living, donates one or more of his or her human organs to another human being for human organ transplantation. Provides that the deduction may be claimed only once and only for unreimbursed travel and lodging expenses and lost wages incurred by the donor and related to the organ donation.

House Amendment No. 1

Deletes reference to:

35 ILCS 5/203

Adds reference to:

35 ILCS 5/101

from Ch. 120, par. 1-101

Deletes everything after the enacting clause. Amends the Illinois Income Tax Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 2

Deletes reference to:

35 ILCS 5/101

Adds reference to:

35 ILCS 5/905

from Ch. 120, par. 9-905

Adds reference to:

35 ILCS 5/911

from Ch. 120, par. 9-911

Adds reference to:

220 ILCS 5/8-403.1

from Ch. 111 2/3, par. 8-403.1

Deletes everything after the enacting clause. Creates the FY2007 Budget Implementation (Revenue) Act. Amends the Illinois Income Tax Act. In a provision concerning notices of decrease in net loss, provides that, in order for certain notice requirements to apply, the taxpayer must incur the loss in a taxable year ending prior to December 31, 2002. In a provision concerning limitations on refunds, limits claims for refunds based on net loss for which no return was filed within 3 years of the due date (including extensions) of the return for the loss year. Makes a technical change concerning the effective date of a Public Act. Amends the Public Utilities Act. In provisions concerning credits a public utility is entitled to in respect to its obligations to remit the State taxes it has collected under the Electricity Excise Tax Law, makes changes as to when the qualified solid waste energy facility (QSWEF) must reimburse the Public Utility Fund and the General Revenue Fund for the actual reduction in payments to those funds and provides that the payments shall be made to the Illinois Commerce Commission, which shall determine the appropriate disbursements to the Public Utility Fund and the General Revenue Fund. Provides that a QSWEF may receive the purchase rate equal to the average amount per kilowatt-hour paid from time to time by the unit or units of local government in which the electricity generating facilities are located, excluding amounts paid for street lighting and pumping service, only for kilowatt-hours generated by the use of methane gas generated from landfills. Provides that, if the Commission determines that a QSWEF has violated the requirement regarding the use of methane gas generated from a landfill, then the Commission shall issue an order requiring that the QSWEF repay the State for all dollar amounts of electricity sales that are determined by the Commission to be the result of the violation. Provides that, as part of that order, the Commission shall have the authority to revoke the facility's approval to act as a QSWEF. Provides that a QSWEF must receive Commission approval before it can use any fuel in addition to methane gas generated from a landfill in order to generate electricity. Provides that the State Comptroller shall transfer from the General Revenue Fund to the Municipal Economic Development Fund in the State treasury an amount equal to the amount by which the amount received by the Department of Revenue from QSWEFs for the sale of electricity to electric utilities during the month in calendar year 2002 that corresponds to the immediately preceding month exceeds the amount received by the Department of Revenue from QSWEFs for the sale of electricity to electric utilities during the immediately preceding month, if any. Provides that, beginning on the first date on which renewable energy certificates or other saleable representations are sold by a QSWEF, with or without the electricity generated by the facility, and utilized by an electric utility or another electric supplier to comply with a renewable energy portfolio standard mandated by Illinois law or mandated by order of the Illinois Commerce Commission, the QSWEF may not sell electricity and shall be exempt from certain requirements concerning the sale of electricity, but shall remain obligated for certain reimbursements to the State. Provides that certain provisions concerning the sale of electricity by QSWEFs shall remain in full force and effect with respect to a QSWEF that sold electricity at any time before July 1, 2006 and that does not sell renewable energy certificates or other saleable representations to meet the requirements of a renewable energy portfolio standard mandated by Illinois law or mandated by order of the Illinois Commerce Commission. Provides that, beginning on July 1, 2006, the Commission shall not issue any order determining that a facility is a QSWEF unless it was determined by the Commission to be a QSWEF before July 1, 2006. Effective immediately.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce & Economic Opportunity)

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SB 00230 (CONTINUED)

This legislation does not impose requirements on units of local government, therefore, does not create a State mandate under the State Mandates Act.

Home Rule Note (H-AM 2) (Dept. of Commerce & Econ Opportunity.)

Does not pre-empt home rule authority.

Balanced Budget Note (H-AM 2) (Gov. Office of Management & Budget)

Will have impact of preserving a balanced State budget in fiscal year 2007.

Pension Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

This legislation would not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

Would not affect the level of state indebtedness.

Fiscal Note (H-AM 2)(Department of Revenue)

The Department of Revenue estimates that the provisions amending the Illinois Income Tax Act will generate approximately \$15,000,000 per year in additional income tax revenues. The provisions amending the Public Utilities Act will generate savings that would be small in fiscal year 2007, but would gradually increase each year. The average annual savings over the next 10 years would be approximately \$15,000,000 to \$20,000,000 and approximately \$28,900,000 per year thereafter.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State of Illinois.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single family residence.

Jun 06 06

S Public Act 94-0836

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00279 Sen. William R. Haine-Arthur J. Wilhelmi-John O. Jones-John J. Millner
(Rep. John A. Fritchey-Elizabeth Coulson-Paul D. Froehlich-Patrick J. Verschoore-JoAnn D. Osmond, Sidney H. Mathias, Kathleen A. Ryg, Elaine Nekritz, Monique D. Davis, Angelo Saviano, Donald L. Moffitt, Ronald A. Wait, Patricia Reid Lindner, David E. Miller, Kevin Joyce, James D. Brosnahan and Patricia R. Bellock)

5 ILCS 80/4.16

5 ILCS 80/4.26 new

225 ILCS 25/4 from Ch. 111, par. 2304

225 ILCS 25/8.2 new

225 ILCS 25/11 from Ch. 111, par. 2311

225 ILCS 25/16 from Ch. 111, par. 2316

225 ILCS 25/16.1 from Ch. 111, par. 2316.1

225 ILCS 25/16.2 new

225 ILCS 25/19 from Ch. 111, par. 2319

225 ILCS 25/23 from Ch. 111, par. 2323

225 ILCS 25/50 from Ch. 111, par. 2350

225 ILCS 25/54.2 new

Amends the Regulatory Sunset Act. Extends the repeal of the Illinois Dental Practice Act to January 1, 2016. Amends the Illinois Dental Practice Act. Defines "titration" and "dental emergency responder". Prohibits the titration of orally administered sedative agents that exceeds the maximum recommended dose. Provides that a dentist shall not be required to maintain a general license in addition to a specialty license. Provides that restricted faculty licenses shall be valid for a period of 3 years, rather than 2 years. Provides that each license issued under the Act shall be valid for 3 years, rather than being set by rule of the Department of Financial and Professional Regulation. Changes continuing education requirements for hours of study. Provides that a surviving spouse or certain other interested parties in an estate may employ, contract with, or otherwise make arrangements for a dentist or dentists to temporarily continue to operate a dental practice under the name of a deceased or incapacitated dentist under certain specified circumstances. Provides that dentists shall be entitled to reasonable reimbursement for the costs of reproducing patient dental records. Provides that a dentist or dental hygienist who is a dental emergency responder acts within the bounds of his or her license when he or she provides care during a declared local, State, or national emergency. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

5 ILCS 80/4.16

Deletes reference to:

5 ILCS 80/4.26 new

Deletes reference to:

225 ILCS 25/4

Deletes reference to:

225 ILCS 25/8.2 new

Deletes reference to:

225 ILCS 25/11

Deletes reference to:

225 ILCS 25/16

Deletes reference to:

225 ILCS 25/16.1

Deletes reference to:

225 ILCS 25/16.2 new

Deletes reference to:

225 ILCS 25/19

Deletes reference to:

225 ILCS 25/23

Deletes reference to:

225 ILCS 25/50

SB 00279 (CONTINUED)

Deletes reference to:

225 ILCS 25/54.2 new

Adds reference to:

225 ILCS 25/37

from Ch. 111, par. 2337

Adds reference to:

225 ILCS 25/38.1

Adds reference to:

225 ILCS 25/38.2 new

Deletes everything after the enacting clause. Amends the Illinois Dental Practice Act. Provides that the executor or administrator of a dentist's estate or the legal guardian or authorized representative of an incapacitated dentist may contract with another dentist or dentists to continue the operations of the deceased or incapacitated dentist's practice. Sets forth provisions concerning Department and patient notification and violations. Makes related changes.

House Amendment No. 2

Amends the bill as amended by House Amendment No. 1. Provides that upon service by certified mail to the executor, administrator, guardian, or authorized representative (instead of just the executor or guardian) and the contracting dentist or dentists, of notice of an order immediately terminating the operations of the dental practice, the executor, administrator, guardian, or authorized representative (instead of just the executor or guardian) may petition the Department for a hearing.

Jul 14 06 S Public Act 94-1028

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00304 Sen. Martin A. Sandoval and John J. Cullerton-Jacqueline Y. Collins
(Rep. Michael J. Madigan-Barbara Flynn Currie)

5 ILCS 312/2-105 from Ch. 102, par. 202-105
5 ILCS 312/3-101 from Ch. 102, par. 203-101
5 ILCS 312/6-102 from Ch. 102, par. 206-102
5 ILCS 312/7-105 from Ch. 102, par. 207-105
5 ILCS 312/7-106 from Ch. 102, par. 207-106
5 ILCS 312/7-107 from Ch. 102, par. 207-107

Amends the Illinois Notary Public Act. Requires a notary public applicant to provide a \$25,000 surety bond (now, a \$5,000 surety bond). Requires a notary public to keep a journal of notarial acts and specifies the required contents of the journal. With respect to satisfactory evidence that a person unknown to the notary is the person whose true signature appears on a document, requires (i) one witness known to the notary who knows the document signer and who is unaffected by the document or transaction or (ii) 2 witnesses who know the document signer and are unaffected by the document or transaction. Makes official misconduct involving notarial acts with respect to real estate documents a Class 1 felony. Makes willful impersonation of a notary public a Class 1 felony (now, a Class A misdemeanor). Makes unlawful possession of a notary's seal a Class 1 felony (now, a misdemeanor with a fine not exceeding \$1,000).

Senate Floor Amendment No. 1

Deletes reference to:

5 ILCS 312/7-105

Deletes reference to:

5 ILCS 312/7-106

Deletes reference to:

5 ILCS 312/7-107

Deletes everything after the enacting clause. Amends the Illinois Notary Public Act. Requires a notary public applicant to provide a \$25,000 surety bond (now, a \$5,000 surety bond). Requires a notary public to keep a journal of notarial acts relating to conveyance or encumbrance of real property and specifies the required contents of the journal. With respect to satisfactory evidence that a person unknown to the notary is the person whose true signature appears on a document, requires (i) one witness known to the notary who knows the document signer and who is unaffected by the document or transaction or (ii) 2 witnesses who know the document signer and are unaffected by the document or transaction. Effective July 1, 2006.

House Amendment No. 1

Deletes reference to:

5 ILCS 312/2-105

Deletes reference to:

5 ILCS 312/3-101

Deletes reference to:

5 ILCS 312/6-102

Adds reference to:

765 ILCS 77/70

Deletes everything after the enacting clause. Amends the Residential Real Property Disclosure Act with respect to the predatory lending database pilot program. Provides that the Secretary of Financial and Professional Regulation shall declare in writing an inception date for the pilot program and shall give notice of that date. The inception date shall be no later than September 1, 2006. Provides that the pilot program applies to all mortgage applications governed by the predatory lending database Article of the Act that are made or taken on or after the inception date. Provides that the pilot program shall be in effect and operational for 4 years. Provides that the title insurance company or closing agent shall attach a certificate of compliance to the mortgage before recording the mortgage (rather than recording the certificate separately). Provides limited immunity for credit counselors providing counseling services in good faith. Makes other changes. Effective immediately.

Fiscal Note (H-AM 1) (Dept. of Financial & Prof. Regulation)

As amended, will not have an additional fiscal impact on the agency.

Jul 14 06 S Public Act 94-1029

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00385 Sen. Terry Link-Arthur J. Wilhelmi-Dan Rutherford-John O. Jones
 (Rep. Robert S. Molaro-Kurt M. Granberg-Joseph M. Lyons)

205 ILCS 5/16 from Ch. 17, par. 323

Amends the Illinois Banking Act. Provides that, unless prohibited by (now, if authorized by) the bank's by-laws, the directors of a State bank may properly fill a vacancy arising between shareholders' meetings by appointment. Provides that any director appointed to fill a vacancy arising between shareholders' meetings shall serve until the next meeting of shareholders at which directors are elected.

House Amendment No. 1

Deletes reference to:

205 ILCS 5/16

Adds reference to:

35 ILCS 815/0.01 from Ch. 121 1/2, par. 910

Deletes everything after the enacting clause. Amends the Postage Stamp Vending Machine Act. Makes a technical change in a Section concerning the short title of the Act.

House Amendment No. 2

Deletes reference to:

35 ILCS 815/0.01

Adds reference to:

35 ILCS 510/3 from Ch. 120, par. 481b.3

Deletes everything after the enacting clause. Amends the Coin-Operated Amusement Device and Redemption Machine Tax Act. Provides that all privilege tax decals must be securely affixed to the device and that a decal that is attached to a device behind a transparent plate or covering that is screwed, bolted, or otherwise securely fastened to the device is deemed to be securely affixed. Effective immediately.

May 08 06 S Public Act 94-0742

SB 00509 Sen. Edward D. Maloney-Martin A. Sandoval
 (Rep. John D'Amico-Sidney H. Mathias)

625 ILCS 5/11-605.3 new

Amends the Illinois Vehicle Code. Establishes speed limits for park zones where children are present. Provides that (i) exceeding the posted speed limit while passing a park zone or in an area where children are going to or coming from a park zone or (ii) failure to come to a complete stop at a stop sign or signal, including a signal at which a right turn on red is permitted, in an area where a park zone speed limit applies, is a violation of the new provision. Provides that a violation of the new provision is a petty offense with a minimum fine of \$250 for a first offense and \$500 for a second or subsequent offense. Provides that the violator shall be charged an additional \$50, to be paid to the park district for safety purposes.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with changes and additions. Provides that, within 6 months of the effective date of the new provision, the Department of Transportation shall design a set of standardized traffic signs for park zones and park zone streets, the design of which shall be made available to all units of local government or manufacturers at no charge except for reproduction and postage. Provides that units of local government may set maximum speeds of less than 20 miles per hour for park zones.

House Amendment No. 2

Deletes everything after the enacting clause. Re-inserts the provisions of the engrossed bill with changes. Provides that exceeding the posted reduced speed limit is not permitted while traveling on a park zone street that has been designated for the reduced speed (rather than while passing a park zone). Provides that the park zone speed limit applies only on park zone streets where the speed limit has been posted. Deletes language providing that the provision does not prohibit use of speed detection devices within 500 feet of park zone signs. Effective immediately.

May 26 06 S Public Act 94-0808

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00585

Sen. John J. Cullerton-Emil Jones, Jr.-Don Harmon

(Rep. Robert F. Flider-Naomi D. Jakobsson-Jim Watson, Brandon W. Phelps, Patrick J Verschoore and Marlow H. Colvin)

5 ILCS 120/1.02

from Ch. 102, par. 41.02

Amends the Open Meetings Act. Makes a technical change in a Section concerning definitions.

Senate Floor Amendment No. 1

Adds reference to:

5 ILCS 120/2.01

from Ch. 102, par. 42.01

Adds reference to:

5 ILCS 120/2.05

from Ch. 102, par. 42.05

Adds reference to:

5 ILCS 120/2.06

from Ch. 102, par. 42.06

Adds reference to:

5 ILCS 120/7 new

Deletes everything after the enacting clause. Amends the Open Meetings Act. Redefines a "meeting" to include gatherings, whether in person or by telephone call, video or audio conference, electronic means (such as e-mail, chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business (now, a gathering of a majority of a quorum of the members of a public body held for the purpose of discussing public business). Requires that the number of public body members necessary to constitute a quorum must be physically present at an open meeting and permits participation and voting by other members by audio and video conference. Allows members of a public body with statewide jurisdiction who are physically present in Chicago or Springfield to count towards a quorum if the meeting is held simultaneously in both places through interactive videoconference and notice and public access requirements are met. Exempts certain State bodies and boards with advisory or non-binding functions from the requirement of physical presence of a quorum. Requires that a quorum of members of a public body without statewide jurisdiction must be physically present at a closed meeting and permits participation and voting by other members by video or audio conference. Permits a public body to authorize attendance at meetings by audio or video conference, other than closed meetings of public bodies with statewide jurisdiction; authorizes those public bodies to adopt rules for such attendance. Makes other changes.

House Amendment No. 1

Removes the exemption for public bodies with statewide jurisdiction from the requirement of physical presence of a quorum at one location of an open meeting when the meeting is held simultaneously in Springfield and Chicago through an interactive video conference. Establishes the same exemption for a public body, except one with jurisdiction limited to a specific geographic area less than statewide, when the meeting is held simultaneously at one of the public body's offices and elsewhere in one or more public buildings through an interactive video conference. Removes the provision that voting members of a public body, other than one with statewide jurisdiction, not physically present at a closed meeting may vote at the closed meeting by means of video or audio conference. Makes other changes.

Jun 01 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00613

Sen. Terry Link and Wendell E. Jones

(Rep. Lisa M. Dugan-Lou Lang-Sidney H. Mathias-Angelo Saviano, Barbara Flynn Currie and Mary E. Flowers)

60 ILCS 1/115-10

60 ILCS 1/115-20

Amends the Township Code. Provides that when a petition is filed, signed by not less than 5% or 50 of the registered voters of the township, whichever is greater, that recommends that the board commence the preparation of an open space plan, the township clerk shall provide a public notice within 5 business days after the petition is filed, by the regular notice procedures, of the existence of the filed petition. Provides that a hearing shall be conducted no less than 30 days after the petition was filed to determine the validity of the petition, which may be challenged in accord with the general election law. Provides that a subsequent petition to adopt the open space plan that the township board adopted shall be approved if the petition is determined to be valid following a public notice and a public hearing. Effective immediately.

House Amendment No. 3

Deletes reference to:

60 ILCS 1/115-10

Deletes reference to:

60 ILCS 1/115-20

Adds reference to:

20 ILCS 2705/2705-565 new

Deletes everything after the enacting clause. Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Requires the Department to conduct a study of specified property it owns in North Chicago; upon completion of the study, grants the city of North Chicago a 3-year option to purchase any of the property not needed by the Department for highway purposes and authorizes the Department to convey that excess property to the city, subject to certain conditions. Authorizes the Director of Corrections, on behalf of the State of Illinois, within 3 years, to lease the real property, buildings, and other improvements comprising the Hopkins Park Correctional Center to the Village of Hopkins Park for 99 years for \$1 per year, subject to the conditions that the Village may use the leased property for any lawful purpose, the Village may sublease the property, without the consent of the State, to any party for any lawful purpose, the Village must hold the State harmless, for the duration of the lease, from any liability and any and all claims of any kind relating to the leased property, and, if any provision is violated by the Village or a sublessee, the leased property shall revert back to the State without further action by the State. Effective immediately.

Jun 02 06 S Sent to the Governor

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00619 Sen. James F. Clayborne, Jr.-Emil Jones, Jr.-Gary Forby
(Rep. John E. Bradley-Mike Boland-Chapin Rose-Roger L. Eddy-Kurt M. Granberg, Lisa M. Dugan, Brandon W. Phelps,
Patrick J Verschoore, Terry R. Parke, Shane Cultra, Karen May, Dan Reitz, Robert F. Flider and Naomi D. Jakobsson)

15 ILCS 505/1 from Ch. 130, par. 1

Amends the State Treasurer Act. Makes a technical change in a Section concerning bond.

Senate Floor Amendment No. 1

Deletes reference to:

15 ILCS 505/1

Adds reference to:

20 ILCS 605/605-332

Adds reference to:

20 ILCS 655/5.5 from Ch. 67 1/2, par. 609.1

Deletes everything after the enacting clause. Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois and the Illinois Enterprise Zone Act. Extends to December 31, 2007 (now, December 31, 2006) the date by which a gasification facility must qualify for financial assistance from the Department of Commerce and Economic Opportunity in order to be considered a "new gasification facility": (i) for purposes of eligibility for financial assistance to energy generation facilities under the Department of Commerce and Economic Opportunity Law and (ii) for purposes of determining whether the facility is a "high impact business" under the Illinois Enterprise Zone Act. Deletes provisions excluding from the definitions of "new gasification facility" and "new facility" a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal. Amends the Illinois Enterprise Zone Act. Deletes a provision excluding a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal from those business that may be designated as a "high impact business" by the Department of Commerce and Economic Opportunity. Effective immediately.

House Amendment No. 1

Deletes reference to:

20 ILCS 655/5.5 from Ch. 67 1/2, par. 609.1

Deletes everything after the enacting clause. Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that for purposes of that Act "new electric generating facility" includes electric generation plants funded through a federal Department of Energy grant before December 31, 2007 (instead of before July 1, 2006) that support the creation of Illinois coal-mining jobs. Effective immediately.

Fiscal Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

Senate Bill 619 (H-AM 1) is estimated to have no fiscal impact on the Department of Commerce and Economic Opportunity.

Jul 14 06 S Public Act 94-1030

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00622 Sen. Jacqueline Y. Collins-Emil Jones, Jr.-M. Maggie Crotty and Terry Link
 (Rep. Robin Kelly, Barbara Flynn Currie, Esther Golar and Deborah L. Graham)

15 ILCS 305/2 from Ch. 124, par. 2

Amends the Secretary of State Act. Makes a technical change in a Section regarding the oath of office.

Senate Floor Amendment No. 2

Deletes reference to:

15 ILCS 305/2

Adds reference to:

20 ILCS 2605/2605-327

Adds reference to:

110 ILCS 57/10

Adds reference to:

110 ILCS 57/25

Deletes everything after the enacting clause. Amends the Department of State Police Law of the Civil Administrative Code of Illinois and the Medical School Matriculant Criminal History Records Check Act. Provides that a medical school must conduct an inquiry into the Department of State Police's Statewide Sex Offender Database for each matriculant, and provides that the Department of State Police shall make sex offender information available to the medical school through the Statewide Sex Offender Database (instead of providing that a medical school must require that each matriculant submit to a criminal history records check for any adjudication of the matriculant as a sex offender). Provides that, for private medical schools, the fingerprint-based criminal history records check that a matriculant must submit to must be an Illinois Uniform Conviction Information Act fingerprint-based, criminal history records check and must be conducted by the Department of State Police (instead of the Department of State Police and the Federal Bureau of Investigation). Provides that a medical school is not civilly liable to a matriculant for reporting any required information to the Department of State Police, except for willful or wanton misconduct. Makes related changes. Effective immediately.

Jun 06 06 S Public Act 94-0837

SB 00623 Sen. John M. Sullivan-Emil Jones, Jr.

(Rep. Michael K. Smith-Donald L. Moffitt-Sidney H. Mathias-Paul D. Froehlich-Mike Boland, John E. Bradley, Daniel V. Beiser, Brandon W. Phelps, Robert F. Flider, Naomi D. Jakobsson, Careen M Gordon, Jack D. Franks, Linda Chapa LaVia, Michael Tryon, Thomas Holbrook, David E. Miller, Patricia R. Bellock and Shane Cultra)

15 ILCS 205/1 from Ch. 14, par. 1

Amends the Attorney General Act. Makes a technical change in a Section concerning the Attorney General's oath and bond.

Senate Floor Amendment No. 1

Deletes reference to:

15 ILCS 205/1

Adds reference to:

20 ILCS 3501/825-85 new

Adds reference to:

30 ILCS 105/5.663 new

Deletes everything after the enacting clause. Amends the Illinois Finance Authority Act. Provides for an ambulance revolving loan program. Provides for joint administration of the program by the Illinois Finance Authority and the State Fire Marshal. Amends the State Finance Act to create the Ambulance Revolving Loan Fund. Effective immediately.

Jun 05 06 S Public Act 94-0829

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00624 Sen. Richard J. Winkel, Jr.-Emil Jones, Jr.
(Rep. William B. Black-Chapin Rose)

15 ILCS 5/1 from Ch. 127, par. 63b122

Amends the Governor Succession Act. Makes a technical change in a Section concerning the line of succession for the office of Governor.

Senate Floor Amendment No. 1

Deletes reference to:

15 ILCS 5/1

Adds reference to:

625 ILCS 5/3-707

from Ch. 95 1/2, par. 3-707

Adds reference to:

625 ILCS 5/6-118

from Ch. 95 1/2, par. 6-118

Adds reference to:

730 ILCS 5/5-5-3

from Ch. 38, par. 1005-5-3

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code and the Unified Code of Corrections. Provides that a person convicted of driving an uninsured motor vehicle, in addition to any other penalty imposed, shall have his or her driving privileges suspended for 3 months and until he or she has paid a reinstatement fee of \$100. Provides that, if a person is convicted of driving an uninsured vehicle while his or her driving privileges are suspended for a similar violation, his or her driving privileges shall be suspended for an additional 6 months and until he or she pays the reinstatement fee. Effective July 1, 2007.

Jul 18 06 S Public Act 94-1035

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00626 Sen. Susan Garrett-Emil Jones, Jr.-Terry Link-Mattie Hunter-Iris Y. Martinez, Pamela J. Althoff, Cheryl Axley, Larry K. Bomke, Bill Brady, J. Bradley Burzynski, James F. Clayborne, Jr., Jacqueline Y. Collins, Dan Cronin, M. Maggie Crotty, John J. Cullerton, Gary G. Dahl, Miguel del Valle, James A. DeLeo, Deanna Demuzio, Kirk W. Dillard, Gary Forby, William R. Haine, Debbie DeFrancesco Halvorson, Don Harmon, Rickey R. Hendon, Mike Jacobs, John O. Jones, Wendell E. Jones, Chris Lauzen, Kimberly A. Lightford, David Luechtefeld, Edward D. Maloney, James T. Meeks, John J. Millner, Antonio Munoz, Carole Pankau, William E. Peterson, Edward Petka, Christine Radogno, Kwame Raoul, Steven J. Rauschenberger, Dale A. Righter, Dale E. Risinger, Carol Ronen, Peter J. Roskam, Dan Rutherford, Martin A. Sandoval, Jeffrey M. Schoenberg, George P. Shadid, Todd Sieben, Ira I. Silverstein, John M. Sullivan, Dave Syverson, Donne E. Trotter, Louis S. Viverito, Frank C. Watson, Arthur J. Wilhelmi and Richard J. Winkel, Jr.

(Rep. Kathleen A. Ryg-Eddie Washington-Mark H. Beaubien, Jr.-Sidney H. Mathias-Karen May, Sandra M. Pihos, Carolyn H. Krause, Karen A. Yarbrough and Barbara Flynn Currie)

15 ILCS 405/9.01 from Ch. 15, par. 209.01

Amends the State Comptroller Act. Makes a technical change in a Section concerning the transfer of money.

Senate Floor Amendment No. 1

Deletes reference to:

15 ILCS 405/9.01

Adds reference to:

20 ILCS 840/1

from Ch. 105, par. 468g

Adds reference to:

30 ILCS 105/5.158

from Ch. 127, par. 141.158

Adds reference to:

30 ILCS 105/6z-10

from Ch. 127, par. 142z-10

Adds reference to:

30 ILCS 105/8.25c

from Ch. 127, par. 144.25c

Adds reference to:

30 ILCS 105/8.44

Deletes everything after the enacting clause. Amends the State Parks Designation Act to rename the Illinois Beach State Park in Lake County as the Adeline Jay Geo-Karis Illinois Beach State Park. Amends the State Finance Act to make corresponding changes to fund names. Effective immediately.

May 25 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00627 Sen. Debbie DeFrancesco Halvorson-Emil Jones, Jr.-John M. Sullivan-Arthur J. Wilhelmi-Deanna Demuzio, M. Maggie Crotty, Gary Forby, Terry Link, Kimberly A. Lightford, William R. Haine, Mike Jacobs, James T. Meeks, Edward D. Maloney, Jacqueline Y. Collins, Kwame Raoul and Pamela J. Althoff
 (Rep. Frank J. Mautino-Linda Chapa LaVia-Lisa M. Dugan-Brandon W. Phelps-Careen M Gordon, Naomi D. Jakobsson, Patrick J Verschoore, Robert F. Flider, Dan Reitz, Joseph M. Lyons, Jack D. Franks, Kathleen A. Ryg, Robert S. Molaro, Jack McGuire, Jerry L. Mitchell, Mike Bost, Dan Brady, Patricia Reid Lindner, Terry R. Parke, Jim Watson, Jim Durkin, JoAnn D. Osmond, James H. Meyer, Mark H. Beaubien, Jr., Ron Stephens, Suzanne Bassi, Ruth Munson, Patricia R. Bellock, Thomas Holbrook, Michael K. Smith, Gary Hannig, John E. Bradley, Daniel V. Beiser, Donald L. Moffitt, Jim Sacia and Richard T. Bradley)

15 ILCS 205/0.01 from Ch. 14, par. 0.01

Amends the Attorney General Act. Makes a technical change in the Section concerning the short title of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

15 ILCS 205/0.01

Adds reference to:

New Act

Adds reference to:

305 ILCS 5/11-22

from Ch. 23, par. 11-22

Adds reference to:

305 ILCS 5/11-22a

from Ch. 23, par. 11-22a

Adds reference to:

305 ILCS 5/11-22b

from Ch. 23, par. 11-22b

Adds reference to:

305 ILCS 5/11-22c

from Ch. 23, par. 11-22c

Deletes everything after the enacting clause. Creates the Veterans' Health Insurance Program Act. Establishes the Veterans' Health Insurance Program to provide health insurance to veterans, to be administered by the Department of Healthcare and Family Services. Sets forth requirements for eligibility, notice of decisions to terminate eligibility, health care benefits, and cost-sharing. Requires the Department to coordinate with the Illinois Department of Veterans' Affairs. Authorizes the Department of Healthcare and Family Services to adopt rules necessary to establish and implement the Act through the use of emergency rulemaking. Amends the Illinois Public Aid Code. Subjects the Veterans' Health Insurance Program Act to provisions concerning charges upon claims and causes of action for injuries, right of subrogation, recoveries, and back pay. Provides for the severability of the Act. Effective September 1, 2006.

Balanced Budget Note (H-AM 1) (Gov. Office of Management & Budget)

No impact to the State's budget.

House Amendment No. 1

Adds reference to:

30 ILCS 105/8g

Replaces everything after the enacting clause. Reinserts provisions substantially similar to those of the engrossed bill, creating the Veterans' Health Insurance Program Act and amending the Illinois Public Aid Code, but with changes that include the following: (1) in provisions concerning the legislative intent with respect to the Veterans' Health Insurance Program, provides that the State has only a limited amount of resources, and the General Assembly therefore declares that while it intends to cover as many such veterans as possible, the State may not be able to cover every eligible person who qualifies for this Program as a matter of entitlement due to limited funding; (2) provides that the Program is not an entitlement; (3) provides that the Department of Healthcare and Family Services Department shall operate the Program in a manner so that the estimated cost of the Program during the fiscal year will not exceed the total appropriation for the Program; (4) changes some of the eligibility requirements for the Program, including the income threshold; (5) provides for the involvement of Veterans Assistance Commissions and Commissioners; (6) requires that all applicants must be reviewed for Veterans Health Administration eligibility or other existing health benefits prior to consideration for the Program; (7) provides that the cost-sharing elements in connection with the program shall be similar to the cost-sharing utilized under the Covering ALL KIDS Health Insurance Act, except that premiums shall be adjusted to reflect the increased cost of insuring an adult compared to a child; (8) requires a report by the Department by April 30, 2007; and (9) repeals the Veterans' Health Insurance Program Act on January 1, 2008. Amends the State Finance Act; provides that in addition to any other transfers that may be provided for by law, on July 1, 2006, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Illinois Veterans Assistance Fund. Effective immediately.

House Amendment No. 2

SB 00627 (CONTINUED)

Amends provisions concerning eligibility for the Veterans' Health Insurance Program. Provides that to be eligible for the Program, a person must have a household income no greater than the sum of (i) an amount equal to 25% of the federal poverty level plus (ii) an amount equal to the Veterans Administration means test income threshold (instead of no greater than 225% of the federal poverty level) at the initiation of the Program. Provides that depending on the availability of funds, this level may be increased to an amount equal to the sum of (iii) an amount equal to 50% of the federal poverty level plus (iv) an amount equal to the Veterans Administration means test income threshold (instead of increased to 250% of the federal poverty level) after 6 months of operation. Provides that this means test income threshold is subject to alteration by the Department of Healthcare and Family Services.

State Debt Impact Note (H-AM 1 & 2)(Comm on Gov't Forecasting & Account)

SB 627 (H-AM 1 and 2) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

This legislation may cause a minimal increase in judicial workloads. However, the bill would not increase the number of judges needed in the State.

Pension Note (H-AM 1 & 2)(Comm on Gov't Forecasting & Account)

SB 627 (H-AM 1) would not impact any public pension fund or retirement system in Illinois.

Home Rule Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

This legislation does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

This legislation does not impose any requirements on units of local government; therefore, SB 627 (H-AM 1) does not create a State mandate under the State Mandates Act.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single family residence.

Fiscal Note (H-AM 2) (Dept. of Healthcare & Family Services)

Has an estimated fiscal impact of \$6 million.

May 30 06 S Public Act 94-0816

SB 00630 Sen. James A. DeLeo-Emil Jones, Jr.
(Rep. Gary Hannig)

20 ILCS 801/1-10

Amends the Department of Natural Resources Act. Makes a technical change in a Section concerning definitions.

Senate Floor Amendment No. 1

Deletes reference to:

20 ILCS 801/1-10

Adds reference to:

20 ILCS 2605/2605-335

was 20 ILCS 2605/55a in part

Deletes everything after the enacting clause. Amends the Department of State Police Law. Authorizes the Department of State Police to conduct criminal background investigations of charitable organization employees and volunteers or prospective employees and volunteers who are charged with responsibility for any aspect of the organization's funding or finances. Authorizes the Department to determine the form and manner of these conviction information requests and to charge certain fees for the information provided. Provides that the information obtained by the organization is confidential and that only information and standards that bear a reasonable and rational relation to a felony or breach of trust shall be used by the organization.

House Amendment No. 1

Deletes reference to:

20 ILCS 2605/2605-335

Adds reference to:

740 ILCS 175/3

from Ch. 127, par. 4103

Deletes everything after the enacting clause. Amends the Whistleblower Reward and Protection Act. Provides that the civil penalty under the Act is not less than \$5,500 (now, \$5,000) and not more than \$11,000 (now, \$10,000). Effective immediately.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State.

State Debt Impact Note (H-AM 1)(Comm on Gov't Forecasting & Account)

SB 630 (H-AM 1) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Balanced Budget Note (H-AM 1)(Gov's Office of Mgmt & Budget)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will have a positive impact to the State's budget.

Pension Note (H-AM 1)(Comm on Gov't Forecasting & Account)

SB 630, as amended by HA #1, would not impact any public pension fund or retirement system in Illinois.

Home Rule Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

This legislation does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

This legislation does not impose requirements on units of local government; therefore, SB 630 (H-AM 1) does not create a State mandate under the State Mandates Act.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single family residence.

Fiscal Note (H-AM 1)(Illinois State Police)

There would be no fiscal impact to the Illinois State Police.

Jun 01 06 S Sent to the Governor

SB 00680

Sen. John M. Sullivan-Emil Jones, Jr.

(Rep. Donald L. Moffitt-Michael K. Smith-Paul D. Froehlich-William B. Black-Patrick J Verschoore, Timothy L. Schmitz, Mike Boland, Brandon W. Phelps, Keith P. Sommer, Rich Brauer, Raymond Poe, Ronald A. Wait, David R. Leitch, Jerry L. Mitchell, Jim Sacia, Chapin Rose, Richard P. Myers, Sidney H. Mathias, Robert W. Pritchard, Art Tenhouse and Mike Bost)

35 ILCS 200/18-245

Amends the Property Tax Extension Limitation Law in the Property Tax Code. Makes a technical change in a Section authorizing the Department of Revenue to adopt rules.

Senate Floor Amendment No. 1

Deletes reference to:

35 ILCS 200/18-245

Adds reference to:

35 ILCS 200/16-70

Adds reference to:

35 ILCS 200/23-10

Deletes everything after the enacting clause. Amends the Property Tax Code. Provides that property owners must notify affected fire protection districts upon the filing of any application for a non-homestead exemption that would reduce the assessed valuation of any property by more than \$100,000 and provides that the districts must be given the opportunity to be heard on the matter. Deletes a provision exempting counties with 3,000,000 or more inhabitants from certain notice requirements concerning tax objections.

Jul 14 06 S Public Act 94-1031

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00702 Sen. Terry Link-Emil Jones, Jr.-Jeffrey M. Schoenberg-Susan Garrett
 (Rep. Robert S. Molaro-Karen May-Eddie Washington)

35 ILCS 200/1-55

Amends the Property Tax Code. Makes a technical change in a Section concerning the definition of "33 1/3%".

Senate Floor Amendment No. 1

Deletes reference to:

35 ILCS 200/1-55

Adds reference to:

35 ILCS 200/Art. 10 Div 14 heading new

Adds reference to:

35 ILCS 200/10-365 new

Adds reference to:

35 ILCS 200/10-370 new

Adds reference to:

35 ILCS 200/10-375 new

Adds reference to:

35 ILCS 200/10-380 new

Adds reference to:

35 ILCS 200/18-165

Adds reference to:

35 ILCS 200/18-185

Deletes everything after the enacting clause. Amends the Property Tax Code. Sets forth procedures for calculating the value of certain leasehold estates for property that is owned by the United States and that is leased to another whose property is not exempt for the purpose of design, finance, construction, renovation, management, operation, and maintenance of rental housing units. Authorizes taxing districts to abate the property taxes for such property. In the Property Tax Extension Limitation Law in the Property Tax Code, includes within the definition of "new property", the assessed value of any real property located within the boundaries of an otherwise exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other private entity. Effective immediately.

Senate Floor Amendment No. 2

Makes a technical correction.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes:

Provides that a PPV Lease is a leasehold interest in property at naval training and related naval support facilities (instead of property at, among other facilities, naval training facilities). Makes changes to the calculation of "net operating income". Provides that the capitalization rate is 7.75% (instead of 5.75%). Makes changes to the method of valuation of PPV Leases for taxable years 2006, 2007, 2008, and 2009. Provides that the PPV Leases are included within the definition of "new property" in the Property Tax Extension Limitation Law only after the final stabilization of occupancy after the new construction is complete. Makes other changes. Effective immediately.

Jun 30 06 S Public Act 94-0974

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00789 Sen. James A. DeLeo-John J. Millner, Antonio Munoz and Edward D. Maloney-Rickey R. Hendon
(Rep. Arthur L. Turner)

40 ILCS 5/10-103.1 from Ch. 108 1/2, par. 10-103.1

Amends the Illinois Pension Code. Makes a technical change in a Section concerning the Cook County Forest Preserve District.

Pension Note (Commission on Gov't Forecasting and Accountability)

Senate Bill 789 would not affect the accrued liabilities or annual costs of any public pension fund or retirement system in Illinois.

Senate Floor Amendment No. 1

Deletes reference to:

40 ILCS 5/10-103.1

Adds reference to:

40 ILCS 5/7-109.3 from Ch. 108 1/2, par. 7-109.3

Adds reference to:

40 ILCS 5/7-109.4 new

Adds reference to:

30 ILCS 805/8.30 new

Replaces everything after the enacting clause. Amends the IMRF Article of the Illinois Pension Code. Provides that an elected or appointed coroner may elect to participate in the Fund as a sheriff's law enforcement employee (SLEP). Allows conversion of prior service. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Senate Floor Amendment No. 3

Adds reference to:

40 ILCS 5/7-132 from Ch. 108 1/2, par. 7-132

Further amends the IMRF Article of the Illinois Pension Code. Provides that, subject to application by the Commission and approval by the Board, the Illinois Medical District Commission created under the Illinois Medical District Act shall be included within IMRF as a participating instrumentality, notwithstanding that the location of the District is entirely within the City of Chicago.

House Amendment No. 1

Deletes reference to:

40 ILCS 5/7-109.3

Deletes reference to:

40 ILCS 5/7-109.4 new

Replaces everything after the enacting clause. Amends the IMRF Article of the Illinois Pension Code. Provides that, subject to application by the Commission and approval by the Board, the Illinois Medical District Commission created under the Illinois Medical District Act shall be included within IMRF as a participating instrumentality, notwithstanding that the location of the District is entirely within the City of Chicago. Effective immediately.

Jun 02 06 S Sent to the Governor

SB 00819 Sen. William R. Haine

(Rep. Thomas Holbrook-Daniel V. Beiser-Jay C. Hoffman)

50 ILCS 605/1 from Ch. 30, par. 156

Amends the Local Government Property Transfer Act. Makes a technical change in the definitions Section of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

50 ILCS 605/1

Adds reference to:

65 ILCS 5/11-74.4-3

from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7

from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that the redevelopment project in the TIF district created by an ordinance that was adopted on July 1, 1986 by the City of Granite City must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

May 19 06 S Public Act 94-0782

SB 00827 Sen. Terry Link-Emil Jones, Jr.-Kwame Raoul

(Rep. Dan Reitz)

50 ILCS 110/1 from Ch. 102, par. 4.10

Amends the Public Officer Simultaneous Tenure Act. Makes a technical change in a Section concerning the purpose of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

50 ILCS 110/1

Adds reference to:

50 ILCS 742/10

Deletes everything after the enacting clause. Amends the Fire Department Promotion Act. Provides that the Act authorizes and does not limit the right of an exclusive bargaining representative to "require" an employer to negotiate concerning promotion to certain ranks (now, does not allow representative to "require"). Effective immediately.

May 26 06 S Public Act 94-0809

SB 00830 Sen. M. Maggie Crotty-Emil Jones, Jr.

(Rep. Ron Stephens-Thomas Holbrook and Jay C. Hoffman)

60 ILCS 1/5-40

Amends the Township Code. Makes a technical change in a Section concerning township names.

Senate Floor Amendment No. 1

Deletes reference to:

60 ILCS 1/5-40

Adds reference to:

70 ILCS 520/4

from Ch. 85, par. 6154

Adds reference to:

70 ILCS 520/5

from Ch. 85, par. 6155

Deletes everything after the enacting clause. Amends the Southwestern Illinois Development Authority Act. Provides that the territorial jurisdiction of the Authority shall be expanded to include the geographic area within the boundaries of Bond County. Adds a member to the Board of Directors of the Authority who is appointed by the chairman of the county board of Bond County and makes corresponding changes. Provides that the duty of the Authority includes development within Clinton and Bond counties.

Jun 02 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00835 Sen. Gary Forby-Emil Jones, Jr.
 (Rep. John E. Bradley)

65 ILCS 5/1-1-1 from Ch. 24, par. 1-1-1

Amends the Illinois Municipal Code. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 3

Deletes reference to:

65 ILCS 5/1-1-1

Adds reference to:

65 ILCS 5/7-1-1

from Ch. 24, par. 7-1-1

Deletes everything after the enacting clause. Amends the Municipal Code. Provides that territory that is separated from a municipality only by a federal wildlife refuge may be annexed to the municipality if the municipality can show that the federal wildlife refuge creates an artificial barrier preventing annexation. Provides that it shall be conclusively presumed that the federal wildlife refuge does not create an artificial barrier if the annexing municipality is not the closest municipality within the county to the property to be annexed (now, does not limit the provision to municipalities within the county). Effective immediately.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of SB 835, it has been determined that this legislation would neither increase nor decrease the number of judges needed in the State.

Housing Affordability Impact Note (Housing Development Authority)

Insufficient information to determine a fiscal effect.

Pension Note (Comm. on Gov. Forecasting & Accountability)

Will not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (Comm. on Forecasting and Accountability)

Would not affect the level of State indebtedness.

State Mandates Fiscal Note (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

Home Rule Note (Dept. of Commerce & Econ Opportunity)

Does not pre-empt home rule authority.

Fiscal Note (Dept. of Commerce & Econ Opportunity)

Does not impact State finances. The bill would potentially impact municipalities in each county except Cook, DuPage, and Lake. If municipalities attempt to demonstrate that a federal wildlife refuge creates only an artificial barrier in preventing annexation, the cost of such research could vary across the state. Based on that factor, the cost to municipalities could vary across the state. Therefore, to the extent that SB 835 impacts local revenue, a fiscal impact cannot be estimated at this time.

Correctional Note (Department of Corrections)

Corrections Population Impact: None. Fiscal Impact: None.

Fiscal Note (Department of Natural Resources)

No fiscal impact.

Balanced Budget Note (Gov. Office of Management & Budget)

There is no fiscal impact to the State.

Jun 02 06 S Sent to the Governor

SB 00837 Sen. Gary G. Dahl-Emil Jones, Jr.
(Rep. Careen M Gordon)

65 ILCS 5/1-1-2.1 from Ch. 24, par. 1-1-2.1

Amends the Illinois Municipal Code. Makes a technical change in a Section concerning the president of a village or incorporated town.

Senate Floor Amendment No. 2

Deletes reference to:

65 ILCS 5/1-1-2.1

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on December 29, 1986 by the Village of Gardner must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

May 26 06 S Public Act 94-0810

SB 00838 Sen. M. Maggie Crotty-Emil Jones, Jr.-Dan Cronin
(Rep. Bob Biggins-Sandra M. Pihos-Lee A. Daniels)

65 ILCS 5/1-3-2a from Ch. 24, par. 1-3-2a

Amends the Illinois Municipal Code. Makes a technical change in a Section concerning municipal adoption by reference of the county subdivision code.

Senate Floor Amendment No. 1

Deletes reference to:

65 ILCS 5/1-3-2a

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on February 2, 1989 by the Village of Lombard must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

May 19 06 S Public Act 94-0783

SB 00841 Sen. Donne E. Trotter
(Rep. Joseph M. Lyons-Angelo Saviano-Michael Tryon-William Delgado-Arthur L. Turner)

70 ILCS 810/1 from Ch. 96 1/2, par. 6401

Amends the Cook County Forest Preserve District Act. Makes a technical change in a Section concerning the application of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

70 ILCS 810/1

Adds reference to:

70 ILCS 810/14 from Ch. 96 1/2, par. 6417

Deletes everything after the enacting clause. Amends the Cook County Forest Preserve District Act. Provides that certain contracts involving an expenditure in excess of \$25,000 (now, \$10,000) by any forest preserve district wholly within a county having a population of 3,000,000 or more must be let to the lowest responsible bidder after advertising. Effective immediately.

Jun 27 06 S Public Act 94-0951

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00843 Sen. Edward D. Maloney-Christine Radogno
 (Rep. Kevin Joyce)

70 ILCS 2605/4.8 from Ch. 42, par. 323.8

Amends the Metropolitan Water Reclamation District Act. Makes a technical change in a Section concerning notice of examinations.

Senate Floor Amendment No. 1

Deletes reference to:

70 ILCS 2605/4.8

Adds reference to:

55 ILCS 5/5-1062.1

from Ch. 34, par. 5-1062.1

Deletes everything after the enacting clause. Amends the Counties Code. Changes the list of groups that are responsible for the coordination of watershed planning councils to include the Southwest Conference of Mayors. Effective immediately.

Jun 16 06 S Public Act 94-0867

SB 00848 Sen. James F. Clayborne, Jr.-Emil Jones, Jr.
 (Rep. Wyvetter H. Younge-Eddie Washington)

70 ILCS 1005/1 from Ch. 111 1/2, par. 74

Amends the Mosquito Abatement District Act. Makes a technical change in a Section concerning a petition for a referendum on the question of organizing a mosquito abatement district.

Senate Floor Amendment No. 1

Deletes reference to:

70 ILCS 1005/1

Adds reference to:

New Act

Adds reference to:

30 ILCS 105/5.663 new

Deletes everything after the enacting clause. Creates the Mid-America Medical District Act. Creates the Mid-America Medical District within the City of East St. Louis. Describes the territory of the District. Provides that the District is governed by the Mid-America Medical District Commission. Grants certain powers to the Commission, including the power to accept grants, loans, and appropriations, and to acquire and sell interests in property. Makes other changes. Amends the State Finance Act to create the Mid-America Medical District Income Fund.

Senate Floor Amendment No. 2

Makes a technical change in a Section concerning the rules of the Commission.

Jul 19 06 S Public Act 94-1036

SB 00857 Sen. James F. Clayborne, Jr.-Emil Jones, Jr.-David Luechtefeld
(Rep. Dan Reitz-Wyvetter H. Younge)

105 ILCS 5/34-12 from Ch. 122, par. 34-12

Amends the School Code. Makes a technical change in a Section concerning the Chicago school district.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/34-12

Adds reference to:

105 ILCS 5/19-1

from Ch. 122, par. 19-1

Deletes everything after the enacting clause. Amends the School Code. In a Section concerning the debt limitations of school districts, provides that bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued (subject to referendum) in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if, among other conditions, (i) residential and farm property comprises more than 80% of the equalized assessed valuation of the district for each of the 4 most recent years, (ii) the bond proceeds are to be used to acquire and improve school sites and build and equip a school building, (iii) the school sites and building additions are needed because of an increase in enrollment, and (iv) the principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district. Effective immediately.

Jun 27 06 S Public Act 94-0952

SB 00859 Sen. Edward D. Maloney-Emil Jones, Jr.-Don Harmon and Cheryl Axley-Jacqueline Y. Collins
(Rep. Lisa M. Dugan, Jack D. Franks and Linda Chapa LaVia)

105 ILCS 5/28-2 from Ch. 122, par. 28-2

Amends the School Code. Makes a technical change in a Section concerning instructional materials.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/28-2

Adds reference to:

105 ILCS 5/21-23

from Ch. 122, par. 21-23

Deletes everything after the enacting clause. Amends the Teacher Certification Article of the School Code. Includes as unprofessional conduct for which a certificate may be suspended the failure to disclose on an employment application any previous conviction for a sex offense or any other offense committed in any other state or against the laws of the United States that, if committed in this State, would be punishable as a sex offense. Provides that prior to a hearing on the suspension of a certificate, a certificate holder may be suspended from his or her duties if it is deemed necessary for the safety of students.

House Amendment No. 1

Removes the amendatory language that provides that prior to a hearing on the suspension of a certificate, a certificate holder may be suspended from his or her duties if it is deemed necessary for the safety of students.

Jul 03 06 S Public Act 94-0991

SB 00860

Sen. Deanna Demuzio-Emil Jones, Jr.

(Rep. Michael K. Smith-Jerry L. Mitchell-Monique D. Davis-Roger L. Eddy-Robert W. Pritchard, Esther Golar, Lisa M. Dugan, Careen M Gordon, Robert F. Flider, Naomi D. Jakobsson, Mike Boland, Patrick J Verschoore, Jack McGuire, Linda Chapa LaVia, Jim Sacia, Donald L. Moffitt, Aaron Schock, Thomas Holbrook and John E. Bradley)

105 ILCS 5/29-2 from Ch. 122, par. 29-2

Amends the School Code. Makes a technical change in a Section concerning the transportation of pupils.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/29-2 from Ch. 122, par. 29-2

Adds reference to:

105 ILCS 5/2-3.53a new

Adds reference to:

105 ILCS 5/10-23.8a from Ch. 122, par. 10-23.8a

Adds reference to:

105 ILCS 5/21-5e new

Adds reference to:

105 ILCS 5/21-7.1 from Ch. 122, par. 21-7.1

Adds reference to:

105 ILCS 5/21-7.5 new

Adds reference to:

105 ILCS 5/21-7.10 new

Adds reference to:

105 ILCS 5/21-7.15 new

Adds reference to:

105 ILCS 5/24A-15 new

Adds reference to:

105 ILCS 5/34-18.33 new

Deletes everything after the enacting clause. Amends the School Code. Requires the State Board of Education to establish a new principal mentoring program to allow experienced principals to serve as mentors to new principals during their first year as a principal. Provides for an alternative route to administrative certification for certain National Board certified teachers. Provides that continuing professional development for renewal of an administrative certificate must include (i) completion of an Administrators' Academy course in each of the 6 Interstate School Leaders Licensure Consortium standard areas in the first 5 years of serving as an administrator in a position that requires certification and (ii) if the certificate holder evaluates certified staff, completion of a one-day teacher evaluation course and participation in an additional 6 hours of Administrators' Academy-approved coursework. Deletes a provision requiring certificate holders who evaluate certified staff to complete a 2-day teacher evaluation course. Creates a teacher leader endorsement and sets forth requirements for that endorsement. Requires the State Board to certify one statewide organization representing principals, with input from institutions of higher education, and one school district or organization representing principals in the Chicago school district, with input from institutions of higher education, to establish a master principal designation program. Sets forth requirements for the program. Establishes a task force to review the Illinois Administrators' Academy and recommend revisions to the program. Beginning with the 2006-2007 school year and each school year thereafter, requires each school district, except the Chicago school district, to establish a principal evaluation plan. Sets forth requirements for the evaluation plan and provides that failure to evaluate a principal at least once during the term of the principal's contract is evidence that the principal is performing his or her duties and responsibilities in at least a satisfactory manner and serves to automatically extend the principal's contract for a period of one year after the contract would otherwise expire, under the same terms and conditions as the prior contract. Requires the Chicago school district to establish a principal mentoring program. Effective immediately.

House Amendment No. 1

SB 00860 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the contents of the bill as engrossed with the following changes. Adds a preamble. Provides that one of the purposes of the new principal mentoring program is to assist the new principal in the development of his or her professional growth (instead of his or her professional practice). Provides that mentors must complete mentoring training by entities (instead of by an entity) approved by the State Board of Education. Provides that the principal, in collaboration with the mentor, shall identify areas for improvement of the new principal's professional growth (instead of requiring a mentor to identify areas for improvement of the new principal's professional practice). Provides that the State Board of Education must facilitate a review and evaluate the mentoring training program in collaboration with the approved providers (instead of requiring the State Board to review and evaluate the mentoring training program). Removes the Section concerning administrative certificates. Makes changes concerning which entities are required to be certified to establish a master principal designation program. Provides that a master principal designation program aligned with the Illinois Professional Leadership Standards (instead of any master principal designation program) shall include certain components. Makes changes concerning the Illinois Administrators' Academy Review Task Force and principal evaluations. Makes other changes. Effective immediately.

Jul 20 06 S Public Act 94-1039

SB 00861

Sen. Don Harmon-Emil Jones, Jr.

(Rep. Terry R. Parke-Arthur L. Turner)

105 ILCS 5/24-1.1 from Ch. 122, par. 24-1.1

Amends the School Code. Makes a technical change in a Section concerning employment.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/24-1.1

Adds reference to:

105 ILCS 425/6

from Ch. 144, par. 141

Adds reference to:

105 ILCS 425/11

from Ch. 144, par. 146

Deletes everything after the enacting clause. Amends the Private Business and Vocational Schools Act. Provides that in lieu of a surety bond, an applicant for a certificate of approval or a sales representative permit may, with the advanced approval of the State Board of Education, deposit with the State Board as security a certificate of deposit of any bank organized or transacting business in the United States in an amount equal to or greater than the amount of the required bond. Provides that the certificate of deposit must be held and made payable in accordance with terms and provisions approved in advance by the State Board and must be replaced by a bond within 180 days after the issuance of the certificate of approval or sales representative permit to the applicant. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill as engrossed, with the following changes. Provides that the State Board of Education must approve of the deposit of a certificate of deposit prior to January 1, 2007. Provides that an applicant must first satisfy the State Board that the certificate of deposit is free and clear of all liens, pledges, security interests, and other encumbrances. Requires the State Board to perfect a first priority security interest in the certificate of deposit. Provides that failure to replace the certificate of deposit with a continuous surety company bond shall result in revocation of the certificate of approval or sales representative permit. Effective immediately.

Jun 01 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00916 Sen. William R. Haine-Emil Jones, Jr., John M. Sullivan and Arthur J. Wilhelmi
 (Rep. Frank J. Mautino-Donald L. Moffitt-John E. Bradley-Careen M Gordon-Mike Bost)

215 ILCS 106/5

Amends the Children's Health Insurance Program Act. Makes a technical change in a Section concerning the legislative intent of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

215 ILCS 106/5

Adds reference to:

215 ILCS 5/368f new

Replaces everything after the enacting clause. Amends the Illinois Insurance Code. Provides that no Illinois resident activated for military service and no spouse or dependent of the resident who becomes eligible for a federal government-sponsored health insurance program as a result of the activation shall be denied reinstatement into the same individual health insurance coverage with the health insurer that lapsed as a result of activation or becoming covered by the federal government-sponsored health insurance program. Provides that the insurer must receive the request for reinstatement within a certain time period. Requires insurers to provide written notice to policyholders of the right to reinstatement. Provides that the requirement of reinstatement does not apply to certain types of policies. Authorizes the Secretary of Financial and Professional Regulation to adopt rules. Effective immediately.

Jul 20 06 S Public Act 94-1037

SB 00918 Sen. Deanna Demuzio-Emil Jones, Jr.

(Rep. Robert F. Flider-Mike Boland-Jack McGuire-Sara Feigenholtz-Thomas Holbrook, Charles E. Jefferson, Brandon W. Phelps, Patrick J Verschoore, Larry McKeon, John E. Bradley, Lisa M. Dugan, Annazette Collins, Gary Hannig and Careen M Gordon)

215 ILCS 105/1 from Ch. 73, par. 1301

Amends the Comprehensive Health Insurance Plan Act. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

215 ILCS 105/1

Adds reference to:

215 ILCS 105/7 from Ch. 73, par. 1307

Adds reference to:

215 ILCS 105/8 from Ch. 73, par. 1308

Replaces everything after the enacting clause. Amends the Comprehensive Health Insurance Plan Act. Increases the lifetime benefit limitation from \$1,000,000 to \$1,500,000. Effective immediately.

May 03 06 S Public Act 94-0737

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00927

Sen. Edward D. Maloney-Emil Jones, Jr.

(Rep. Patricia R. Bellock-Jack McGuire-Elizabeth Coulson-Michael Tryon-Donald L. Moffitt, William Delgado and Robert Rita)

210 ILCS 28/75

Amends the Abuse Prevention Review Team Act. Makes a technical change in a Section concerning the Act's relationship to other Acts.

Senate Floor Amendment No. 1

Deletes reference to:

210 ILCS 28/75

Adds reference to:

New Act

Adds reference to:

30 ILCS 105/5.663 new

Deletes everything after the enacting clause. Creates the Tattoo and Body Piercing Establishment Registration Act. Provides for the registration of tattoo and body piercing establishments by the Department of Public Health to ensure the health, safety, and welfare of the public, including the provision of a safe and adequate blood supply. Sets forth provisions concerning registration, operating requirements, duties of the Department, and administrative procedures. Amends the State Finance Act to create the Tattoo and Body Piercing Establishment Registration Fund. Effective July 1, 2007.

May 24 06 S Sent to the Governor

SB 00929 Sen. Gary Forby-Emil Jones, Jr. and Mike Jacobs-Deanna Demuzio
(Rep. Dan Reitz-William B. Black-John E. Bradley-Bill Mitchell-Brandon W. Phelps, Daniel V. Beiser, Mike Bost, John A. Fritchey, David Reis, Kurt M. Granberg, Jack D. Franks, Linda Chapa LaVia, Patrick J Verschoore and Donald L. Moffitt)

225 ILCS 2/20

Amends the Acupuncture Practice Act. Makes a technical change in a Section concerning activities exempt from the application of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

225 ILCS 2/20

Adds reference to:

225 ILCS 705/1.19 new

Adds reference to:

225 ILCS 705/1.20 new

Adds reference to:

225 ILCS 705/1.21 new

Adds reference to:

225 ILCS 705/1.22 new

Adds reference to:

225 ILCS 705/1.23 new

Adds reference to:

225 ILCS 705/1.24 new

Adds reference to:

225 ILCS 705/10.08 new

Adds reference to:

225 ILCS 705/11.01 from Ch. 96 1/2, par. 1101

Adds reference to:

225 ILCS 705/11.07 new

Adds reference to:

225 ILCS 705/11.08 new

Adds reference to:

225 ILCS 705/11.09 new

Adds reference to:

225 ILCS 705/11.10 new

Adds reference to:

225 ILCS 705/11.11 new

Adds reference to:

225 ILCS 705/13.16 new

Adds reference to:

225 ILCS 705/13.17 new

Adds reference to:

225 ILCS 705/13.18 new

Adds reference to:

225 ILCS 705/19.11 from Ch. 96 1/2, par. 1911

Adds reference to:

225 ILCS 705/22.18 from Ch. 96 1/2, par. 2218

Adds reference to:

225 ILCS 705/Art. 29 heading

Adds reference to:

225 ILCS 705/29.05 new

Adds reference to:

SB 00929 (CONTINUED)

225 ILCS 705/29.06 new

Adds reference to:

225 ILCS 705/29.07 new

Adds reference to:

225 ILCS 705/38.3 from Ch. 96 1/2, par. 3803

Adds reference to:

225 ILCS 705/38.4 new

Adds reference to:

225 ILCS 705/38.5 new

Deletes everything after the enacting clause. Amends the Coal Mining Act. Defines "lifeline cord", "self-contained self-rescue (SCSR) device", "surface supervisor of an underground mine", "tag-line", "rescue chamber", and "cache". Provides that the Department of Natural Resources shall use the telecommunications center maintained by the Illinois Emergency Management Agency to notify agents of the Department and other State, federal, and local agencies in the event of an emergency in or about any coal mine. Provides that the 4 mine rescue stations that are required to serve the coal fields of the State must be certified by the Mine Safety and Health Administration of the U.S. Department of Labor. Provides that rescue teams shall be based out of each mine rescue station and that every mine operator must provide employees to serve on a rescue team. Provides that an operator must require each person underground to carry a SCSR device on his or her person or, alternatively, a SCSR device must be kept within 25 feet of the person underground. Requires the provision of rescue chambers and materials for barricade within mines. Provides that tag-lines must be provided in every working section of a mine and on any vehicle capable of hauling 4 or more people within the mine. Prohibits methane extraction from sealed areas of active mines or abandoned mines that are attached to active working mines. Provides that at least one of the 2 travelable passageways designated as escape ways in a working section of a mine must be equipped with a lifeline cord. Provides that the return air passageway to the surface must be marked with reflectors or other appropriate signage, as approved by the Department. Provides that a vehicle suitable for transporting all persons underground working on a unit and injured persons shall be maintained in each underground working section (now, a vehicle suitable for transporting injured persons must be maintained on each underground working section where workers are working for use in case of accident). Requires the operator of a mine to provide wireless emergency communication devices and wireless tracking devices that must be worn by each person underground. Provides criminal penalties for any person who, without the authorization of the operator or the Mining Board, knowingly removes or attempts to remove from a mine or mine site or knowingly tampers with or attempts to tamper with any SCSR device, battery-powered strobe light, wireless emergency communication device, or wireless tracking device. Requires the Mining Board and the Department to work in consultation with the mining industry to study communication and tracking systems technology. Sets forth provisions concerning general surface supervisors and independent contractor supervisors. Makes other changes. Effective immediately.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill, as amended by Senate Amendment 1, with the following changes. Requires an operator to provide for an adequate number of SCSR devices to be maintained in all rescue chambers and caches located throughout a mine (instead of requiring an operator to provide a minimum of SCSR devices in each cache located within a mine and requiring caches to be located no more than 4,000 feet apart throughout a mine). Provides that rescue chambers approved by the Mining Board must be provided at suitable locations (instead of 3,000 feet apart) throughout a mine. Replaces the provision concerning communication and tracking systems technology with a provision requiring the Director of the Office of Mines and Minerals to establish a Mine Technology Task Force to review and make recommendations to the Mining Board concerning mine safety technologies. Provides that rescue chambers, wireless emergency communications devices, and wireless tracking devices must be provided in each underground mine once this equipment is federally approved and commercially available. Provides that each applicant for a certificate as a general surface supervisor of an underground mine must have a minimum of 2 years of work experience at a coal mine surface facility (instead of an underground coal mine surface facility) or coal preparation plant. Effective immediately.

Senate Floor Amendment No. 3

Provides that each group represented on the Mine Technology Task Force shall submit the name of its representative to the Director. Provides that rescue chambers, wireless emergency communications devices, and wireless tracking devices must be provided in each underground mine within 90 days after the equipment is federally approved (instead of once the equipment is federally approved and commercially available). Provides that to the extent any of the devices have already been federally approved, the operator shall provide the equipment in each underground mine within 90 days after the effective date of this amendatory Act.

House Amendment No. 1

SB 00929 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Makes a change to the definition of "self-contained self-rescue (SCSR) device". Removes the provision requiring an operator to provide an adequate number of SCSR devices to be maintained in all rescue chambers and caches throughout a mine. Adds a provision requiring an operator to provide at least one SCSR device for each person underground, in addition to the device already required by this amendatory Act, that provides protection for a period of one hour or longer and to provide additional SCSR devices for all persons using a mantrip or mobile equipment if such transportation is used to enter or exit the mine. Provides that if the required SCSR devices are not adequate to provide enough oxygen for all persons to safely evacuate the mine under mine emergency conditions, the mine operator must provide additional SCSR devices in the primary and alternate escapeways to ensure safe evacuation for all persons underground through both primary and alternate escapeways; includes requirements for the SCSR storage plan. Requires the Mining Board to determine the time needed for safe evacuation from each of those locations at 1,000 foot intervals. Provides that, beginning January 31, 2007, an operator must provide a minimum of 30 SCSR devices in each cache located within a mine, in addition to federal Mine Safety and Health Administration requirements, and that caches must be located no more than 4,000 feet apart throughout a mine. Provides that, beginning January 31, 2007, rescue chambers approved by the Mining Board must be provided and located within 3,000 feet of each working section of a mine. Requires an operator to submit a plan for approval concerning the construction and maintenance of the required rescue chambers. Sets forth requirements for methane extraction from sealed areas of active mines or abandoned mines that are attached to active working mines (instead of prohibiting such methane extraction). Provides that the membership of the Mine Technology Task Force shall include representatives of an organization representing mine employees (instead of representatives of the United Mine Workers of America). Provides for a temporary waiver of the requirement that rescue chambers, wireless emergency communication devices, and wireless tracking devices be provided. Effective immediately.

House Amendment No. 2

Provides that the Mining Board must adopt and impose a plan for the daily inspection of certain required SCSR devices to ensure that the devices perform their designated functions each working day and provides that certain additional required SCSR devices must be inspected every 90 days to ensure that the devices perform their designated functions, in addition to meeting all federal Mine Safety and Health Administration requirements (instead of requiring the Mining Board to adopt and impose all federal requirements concerning the testing and storage of the SCSR devices).

Jun 01 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00931 Sen. M. Maggie Crotty-Emil Jones, Jr.-Carol Ronen-John J. Millner-Mattie Hunter, Edward D. Maloney, Donne E. Trotter, Jacqueline Y. Collins, Martin A. Sandoval, Deanna Demuzio, Don Harmon and Pamela J. Althoff
 (Rep. Lou Lang-John E. Bradley-Daniel V. Beiser-Robert F. Flider-Elizabeth Coulson, Jack D. Franks, Linda Chapa LaVia, Naomi D. Jakobsson, Careen M Gordon, Charles E. Jefferson, Brandon W. Phelps, Angelo Saviano, Jack McGuire, Patrick J Verschoore, Larry McKeon, Renee Kosel, Monique D. Davis, David E. Miller, Annazette Collins, Mary E. Flowers, Cynthia Soto, Arthur L. Turner, William Delgado, Edward J. Acevedo, Susana A Mendoza, Michelle Chavez, Maria Antonia Berrios, John A. Fritchey, Joseph M. Lyons, Daniel J. Burke and Kurt M. Granberg)

225 ILCS 15/1 from Ch. 111, par. 5351

Amends the Clinical Psychologist Licensing Act. Makes a technical change in a Section concerning the short title and policy of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

225 ILCS 15/1

Adds reference to:

New Act

Adds reference to:

110 ILCS 205/9.31 new

Adds reference to:

110 ILCS 205/9.32 new

Adds reference to:

110 ILCS 975/5 from Ch. 144, par. 2755

Adds reference to:

225 ILCS 65/10-10

Adds reference to:

225 ILCS 65/Tit. 17 heading new

Adds reference to:

225 ILCS 65/17-5 new

Adds reference to:

225 ILCS 65/17-10 new

Adds reference to:

225 ILCS 65/17-15 new

Adds reference to:

225 ILCS 65/17-20 new

Deletes everything after the enacting clause. Creates the Nurse Educator Assistance Act. Establishes the Nurse Educator Loan Repayment Program and the Nurse Educator Scholarship Program to be administered by the Illinois Student Assistance Commission and to provide assistance, subject to appropriation, to eligible nurse educators and graduate students. Amends the Board of Higher Education Act. Requires the Board of Higher Education to establish and administer a competitive grant program for Illinois institutions of higher learning that award degrees in nursing and a nurse educator fellowship program. Amends the Nursing Education Scholarship Law to provide that, in the event the number of applicants exceeds the number of nursing education scholarships to be awarded, the Department shall, in consultation with the Center for Nursing Advisory Board, consider certain factors in granting priority in awarding the scholarships (now, the Department shall give priority in awarding scholarships to students who meet certain criteria). Amends the Nursing and Advanced Practice Nursing Act. Creates the Illinois Center for Nursing to address issues of supply and demand for nursing. Establishes the Center for Nursing Advisory Board and sets forth provisions concerning the powers and duties of the Board. Effective immediately.

House Amendment No. 1

Adds reference to:

30 ILCS 105/5.569

Adds reference to:

110 ILCS 947/45

SB 00931 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes.
 Amends the State Finance Act to change the name of the National Guard Grant Fund to the National Guard and Naval Militia Grant Fund. Amends the Higher Education Student Assistance Act. In the Section concerning the Illinois National Guard grant program, provides that a person who has served at least one year in the Illinois Naval Militia is also entitled to a grant exempting the person from tuition and fees at a State university or public community college for not more than the equivalent of 4 years of full-time enrollment while he or she is a member of the Illinois Naval Militia. Removes the provision that requires the Department of Public Health, in granting priority in awarding nursing education scholarships, to consider a student's merit. Effective immediately.

House Amendment No. 3

Adds reference to:

110 ILCS 947/65.80

Deletes everything after the enacting clause. Reinserts the provisions of House Amendments Nos. 1 and 2 with the following changes. Provides that scholarship assistance through the Nurse Educator Scholarship Program and the Forensic Science Grant Program shall be provided on an annual basis until July 1, 2010 (instead of just on an annual basis). Reinserts a provision from the engrossed bill requiring the Department of Public Health, in consultation with the Center for Nursing Advisory Board, to consider a student's merit in granting priority to nursing education scholarship applicants in any year in which the number of qualified applicants exceeds the number of scholarships to be awarded. Effective immediately.

State Debt Impact Note (H-AM 3) (Com. on Gov. Forecasting & Accountability)

Would not affect the level of state indebtedness.

Judicial Note (H-AM 3)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State.

Home Rule Note (H-AM 3)(Dept of Commerce and Economic Opportunity)

This legislation does not pre-empt home rule authority.

Pension Note (H-AM 3) (Com. on Gov. Forecasting & Accountability)

Would not affect any public pension fund or retirement system in Illinois.

Balanced Budget Note (H-AM 3)(Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that this bill will not have an impact on the budget balance of the State. The two programs collectively have a fiscal impact of \$3 million, but this fiscal impact was accounted for in the Governor's introduced budget and have a corresponding revenue source to offset such costs.

Fiscal Note (H-AM 3)(Illinois Student Assistance Commission)

The Nurse Educator Loan Repayment Program has no fiscal impact for FY2007, because it will first take effect in FY2008 (i.e., July 1, 2007). The FY2007 fiscal impact for the Nurse Educator Scholarship program is expected to be \$1.35 million, an amount equivalent to the Governor's requested FY2007 appropriation for the program. The FY2007 fiscal impact for the Forensic Science Grant Program is \$500,000, an amount equivalent to the Governor's requested FY2007 appropriation for the program.

State Mandates Fiscal Note (H-AM 3)(Illinois Community College Board)

SB 931 (H-AM 3) does not create a state mandate for the public community colleges.

Fiscal Note (H-AM 3)(Illinois Community College Board)

SB 931 (H-AM 3) does not create a fiscal cost to the Illinois Community College Board.

Housing Affordability Impact Note (H-AM 3)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single family residence.

Fiscal Note (H-AM 2) (Illinois State Police)

No fiscal impact to the Illinois State Police.

Jul 11 06

S Public Act 94-1020

SB 00946 Sen. John J. Cullerton-Emil Jones, Jr.
(Rep. John A. Fritchey-Paul D. Froehlich-Kenneth Dunkin)

235 ILCS 5/1-1 from Ch. 43, par. 93.9

Amends the Liquor Control Act of 1934. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

235 ILCS 5/1-1

Adds reference to:

235 ILCS 5/6-33 new

Adds reference to:

625 ILCS 5/11-502

from Ch. 95 1/2, par. 11-502

Replaces everything after the enacting clause. Amends the Liquor Control Act of 1934. Allows restaurant patrons to remove from the restaurant premises properly sealed bottles of wine purchased and opened at the restaurant. Amends the Illinois Vehicle Code. Makes an exception in a Section concerning the transportation or possession of alcoholic liquor in a motor vehicle for bottles of wine purchased and opened in a restaurant and properly sealed for removal by a patron from the restaurant.

May 25 06 S Sent to the Governor

SB 00951 Sen. Jeffrey M. Schoenberg-Don Harmon-Donne E. Trotter
(Rep. Julie Hamos-Elizabeth Coulson-Robert F. Flider, Elaine Nekritz and Linda Chapa LaVia)

305 ILCS 5/5-4.1 from Ch. 23, par. 5-4.1

Amends the Illinois Public Aid Code. Makes a technical change in a Section regarding Medicaid co-payments.

Senate Floor Amendment No. 1

Deletes reference to:

305 ILCS 5/5-4.1

Adds reference to:

305 ILCS 5/12-4.25

from Ch. 23, par. 12-4.25

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services may withhold payments, in whole or in part, to a Medical Assistance provider or alternate payee upon receipt of reliable evidence that the circumstances giving rise to the need for a withholding of payments may involve fraud or willful misrepresentation under the Illinois Medical Assistance program. Sets forth procedures for such withholding of payments. Effective immediately.

Senate Floor Amendment No. 2

Further amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services may deny, suspend, or terminate the eligibility of any person or entity to participate as a vendor of goods or services to recipients under the medical assistance program if, after reasonable notice and opportunity for a hearing, the Department finds that (i) the vendor, (ii) a person with management responsibility for a vendor, (iii) an officer or person owning, either directly or indirectly, 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, (iv) an owner of a sole proprietorship that is a vendor, or (v) a partner in a partnership that is a vendor has been convicted of a felony offense related to any of the following: (1) murder; or (2) a Class X felony under the Criminal Code of 1961.

House Amendment No. 1

In amendatory provisions concerning withholding of payments, provides that the Department of Healthcare and Family Services may withhold payments upon receipt of evidence received from State or federal law enforcement or federal oversight agencies or from the results of a preliminary Department audit and determined by the Department to be credible (instead of upon receipt of "reliable evidence"); requires the Department to define "credible" evidence by rule. Provides for a reconsideration of payment withholding. Provides that the Department's notice of withholding must inform the provider or alternate payee that a written request may be made to the Department for full or partial release of withheld payments. Provides that withholding-of-payment actions shall not continue after a period of 3 years.

Jun 30 06 S Public Act 94-0975

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 00998 Sen. M. Maggie Crotty-Emil Jones, Jr.-Mattie Hunter-David Luechtefeld
(Rep. Dan Reitz-Lou Lang-Raymond Poe-Robin Kelly-Daniel V. Beiser)

405 ILCS 5/1-100 from Ch. 91 1/2, par. 1-100

Amends the Mental Health and Developmental Disabilities Code. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

405 ILCS 5/1-100 from Ch. 91 1/2, par. 1-100

Adds reference to:

20 ILCS 3960/3 from Ch. 111 1/2, par. 1153

Adds reference to:

20 ILCS 3960/5 from Ch. 111 1/2, par. 1155

Adds reference to:

20 ILCS 3960/19.6

Deletes everything after the enacting clause. Amends the Illinois Health Facilities Planning Act. Provides that a "non-clinical service area" includes auditoriums. Provides that permits are not required for the establishment of swing-beds authorized under Title XVIII of the federal Social Security Act, or for the modification of a hospital's bed capacity by 20 or fewer beds (now, 10 beds). Provides that the Illinois Health Facilities Planning Act is repealed on July 1, 2011 (now, July 1, 2006). Effective immediately.

House Amendment No. 1

Deletes reference to:

20 ILCS 3960/3

Deletes reference to:

20 ILCS 3960/5

Deletes reference to:

20 ILCS 3960/19.6

Adds reference to:

20 ILCS 3960/1 from Ch. 111 1/2, par. 1151

Replaces everything after the enacting clause. Amends the Illinois Health Facilities Planning Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 3

Deletes reference to:

20 ILCS 3960/1

Adds reference to:

405 ILCS 5/2-107 from Ch. 91 1/2, par. 2-107

Adds reference to:

405 ILCS 5/2-107.1 from Ch. 91 1/2, par. 2-107.1

Adds reference to:

405 ILCS 5/2-107.3 new

Adds reference to:

405 ILCS 5/3-209 from Ch. 91 1/2, par. 3-209

SB 00998 (CONTINUED)

Replaces everything after the enacting clause. Amends the Mental Health and Developmental Disabilities Code. Provides that whenever a patient refuses mental health or developmental disability services, the physician shall determine and state in writing the reasons why the recipient did not meet the criteria for involuntary treatment (that is, that the services are necessary to prevent the recipient from causing serious and imminent physical harm to the recipient or others and no less restrictive alternative is available) and whether the recipient meets the standard for authorized involuntary treatment under the appropriate provisions of the Code. Provides that if the physician determines that the recipient meets the standard for authorized involuntary treatment, the facility director shall petition the court for authorized involuntary treatment unless it is determined that such a petition is not warranted. Provides that in determining whether a person meets the specified criteria for authorized involuntary treatment, the court may consider evidence of the person's history of serious violence, repeated past pattern of specific behavior, actions related to the person's illness, or past outcomes of various treatment options. Requires the Department of Human Services (DHS) to conduct annual trainings for clinical personnel on the appropriate use of authorized involuntary treatment. Provides that each facility director of a State-operated mental health facility shall prepare a quarterly report stating the number of persons who were determined to meet the standard for authorized involuntary treatment but for whom it was determined that the filing of such a petition was not warranted; requires DHS to publish an annual report. Provides that a recipient's treatment plan must include a written assessment of whether or not the recipient is in need of psychotropic medications. Effective immediately.

House Amendment No. 4

In amendatory provisions concerning refusal of services: (1) requires a physician's determination and statement whenever psychotropic medication is refused at least once that day (instead of whenever services are refused); (2) authorizes a facility director's designee to petition the court for authorized involuntary treatment; (3) provides that amendatory provisions concerning a petition to the court by a facility director or his or her designee apply only to State-operated mental health facilities; and (4) requires training for physicians and registered nurses working in State-operated mental health facilities (instead of for clinical personnel) on the appropriate use of authorized involuntary treatment.

Jun 02 06 S Sent to the Governor

SB 01001 Sen. Kimberly A. Lightford-Emil Jones, Jr.-Iris Y. Martinez-James T. Meeks-Mattie Hunter and Jacqueline Y. Collins
 (Rep. Constance A. Howard-John A. Fritchey-Eddie Washington, Esther Golar, Linda Chapa LaVia and Mike Boland)

405 ILCS 5/3-101 from Ch. 91 1/2, par. 3-101

Amends the Mental Health and Developmental Disabilities Code. Makes a technical change in a Section concerning State's Attorneys' representation of the State in court proceedings.

Senate Floor Amendment No. 1

Deletes reference to:

405 ILCS 5/3-101

Adds reference to:

30 ILCS 105/5.663 new

Adds reference to:

410 ILCS 303/27 new

Adds reference to:

410 ILCS 303/30

Deletes everything after the enacting clause. Amends the State Finance Act to create the Illinois African-American HIV/AIDS Response Fund. Amends the African-American HIV/AIDS Response Act. Provides that the Fund must be used for the prevention of HIV transmission and for other programs and activities. Provides that moneys placed into Fund must come from appropriations by the General Assembly, federal funds, and other public resources. Provides that the Fund is repealed July 1, 2016.

May 22 06 S Public Act 94-0797

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01028 Sen. Frank C. Watson-Emil Jones, Jr.
 (Rep. Ron Stephens)

415 ILCS 10/1 from Ch. 85, par. 5901

Amends the Local Solid Waste Disposal Act. Makes a technical change in a Section concerning the Act's short title.

Senate Floor Amendment No. 3

Deletes reference to:

415 ILCS 10/1 from Ch. 85, par. 5901

Adds reference to:

415 ILCS 5/3.350 was 415 ILCS 5/3.58

Deletes everything after the enacting clause. Amends the Environmental Protection Act. Excludes closed loop heat pump wells using USP food grade propylene glycol from the definition of "potential route".

Jun 02 06 S Sent to the Governor

SB 01086 Sen. John M. Sullivan and Gary G. Dahl
 (Rep. Brandon W. Phelps-Robert W. Pritchard-Mike Boland-Dan Reitz-William B. Black, Jay C. Hoffman, Kurt M. Granberg, Lisa M. Dugan, Daniel V. Beiser, Mike Bost, Terry R. Parke, Careen M Gordon, Naomi D. Jakobsson, John E. Bradley and Robert F. Flider)

605 ILCS 5/1-101 from Ch. 121, par. 1-101

Amends the Illinois Highway Code. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Adds reference to:

625 ILCS 5/15-116 new

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that the Department of Transportation shall maintain and provide a listing of all Class I, Class II, and Class III designated streets and highways. Provides that the Department shall also list all local streets or highways that have been designated by local agencies. Provides that local agencies shall report to the Department all designated streets and highways under their jurisdiction and shall also provide to the Department reference contact names and telephone numbers. The Department shall also maintain and provide an official map of the Designated State Truck Route System that includes State and local streets and highways that have been designated.

May 12 06 S Public Act 94-0763

SB 01088 Sen. Antonio Munoz-Emil Jones, Jr.-Cheryl Axley-Don Harmon
 (Rep. Harry R. Ramey, Jr.-Paul D. Froehlich)

605 ILCS 5/1-101 from Ch. 121, par. 1-101

Amends the Illinois Highway Code. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

605 ILCS 5/1-101

Adds reference to:

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that the additional fine collected by the circuit clerk from any person convicted of DUI shall be used for enforcement and prevention of DUI, including but not limited to the purchase of law enforcement equipment and commodities to assist in the prevention of alcohol related criminal violence throughout the State; police officer training and education in areas related to alcohol related crime, including but not limited to DUI training; and police officer salaries, including but not limited to salaries for hire back funding for safety checkpoints, saturation patrols, and liquor store sting operations (rather than just in the purchase of law enforcement equipment that will assist in the prevention of alcohol related criminal violence throughout the State). Effective immediately.

Jun 28 06 S Public Act 94-0963

SB 01089

Sen. Emil Jones, Jr.-Kwame Raoul-John J. Millner

(Rep. Jim Sacia-Eddie Washington-Rich Brauer-William B. Black-Joseph M. Lyons, Paul D. Froehlich, Mark H. Beaubien, Jr., Susana A. Mendoza, Edward J. Acevedo, Richard T. Bradley, Dan Reitz, Ron Stephens, Bill Mitchell, Chapin Rose, Richard P. Myers, Michael P. McAuliffe, Angelo Saviano, Robert W. Pritchard, Jay C. Hoffman, Donald L. Moffitt, Dave Winters, Dan Brady, Linda Chapa LaVia, George Scully, Jr., Robert W. Churchill, Kevin Joyce, Shane Cultra, Michael Tryon, Patrick J. Verschoore, Larry McKeon, Kevin A. McCarthy, William Delgado, Cynthia Soto, Timothy L. Schmitz, Joe Dunn, John D'Amico, Harry R. Ramey, Jr., John A. Fritchey, Elaine Nekritz, Julie Hamos, Sidney H. Mathias and Mike Bost)

605 ILCS 10/2

from Ch. 121, par. 100-2

Amends the Toll Highway Act. Makes a technical change in a definitions Section.

Senate Floor Amendment No. 1

Deletes reference to:

605 ILCS 10/2

Adds reference to:

30 ILCS 105/5.663 new

Adds reference to:

625 ILCS 5/16-104c new

Adds reference to:

705 ILCS 105/27.3d new

Adds reference to:

705 ILCS 105/27.5

from Ch. 25, par. 27.5

Adds reference to:

705 ILCS 105/27.6

Adds reference to:

730 ILCS 5/5-6-1

from Ch. 38, par. 1005-6-1

Deletes everything after the enacting clause. Amends the State Finance Act, the Illinois Vehicle Code, the Clerks of Courts Act, and the Unified Code of Corrections. Provides that, if a defendant receives a disposition of court supervision after a court appearance on an offense under the Illinois Vehicle Code, the defendant shall pay a \$20 fee (which shall be deposited into the State Police Vehicle Fund if an officer of the Department of State Police arrested the person for the violation) and a \$5 fee, unless waived (of which \$4.50 shall be deposited into the Circuit Court Clerk Operation and Administrative Fund and \$0.50 shall be deposited into the Prisoner Review Board Vehicle and Equipment Fund). Provides that, if an officer of any law enforcement agency in the State other than the Department of State Police arrested the person for the violation, the \$20 fee shall be paid to the law enforcement agency that employed the arresting officer and shall be used for the acquisition or maintenance of police vehicles. Creates the Prisoner Review Board Vehicle and Equipment Fund as a special fund in the State treasury. Provides that, subject to appropriation, the Prisoner Review Board shall use all moneys in the Fund for the purchase and operation of vehicles and equipment. Provides that each circuit court clerk shall create a Circuit Court Clerk Operation and Administrative Fund to offset the costs of performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law.

Jul 07 06 S Public Act 94-1009

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01144 Sen. Arthur J. Wilhelmi-Emil Jones, Jr.-Gary Forby-Deanna Demuzio-Dale A. Righter, John O. Jones, John M. Sullivan, Mike Jacobs, Jacqueline Y. Collins, Kwame Raoul, Dan Cronin, Dan Rutherford, Kirk W. Dillard, Pamela J. Althoff, Cheryl Axley, Christine Radogno, Adeline Jay Geo-Karis, Carole Pankau, Dale E. Risinger, Gary G. Dahl, William E. Peterson, Todd Sieben, John J. Millner, Frank C. Watson, Peter J. Roskam, J. Bradley Burzynski, Richard J. Winkel, Jr., Dave Syverson, Chris Lauzen, George P. Shadid, Edward D. Maloney, Donne E. Trotter, M. Maggie Crotty, Martin A. Sandoval, Mattie Hunter, Ira I. Silverstein, Debbie DeFrancesco Halvorson, Louis S. Viverito, James F. Clayborne, Jr., James A. DeLeo, Kimberly A. Lightford, William R. Haine, Don Harmon, Terry Link and James T. Meeks

(Rep. Brandon W. Phelps-John A. Fritchey-Mike Boland-John E. Bradley-Daniel V. Beiser, Jack D. Franks, Robert F. Flider, Dan Reitz, Linda Chapa LaVia, Thomas Holbrook, Robert S. Molaro, James D. Brosnahan, Richard T. Bradley, Michael K. Smith, Eddie Washington, John D'Amico, Kevin Joyce, Donald L. Moffitt, David E. Miller, Kenneth Dunkin, Harry Osterman, Patrick J. Verschoore, Jack McGuire, Esther Golar, Shane Cultra, Patricia R. Bellock, Michael Tryon, Daniel J. Burke, Susana A. Mendoza, Cynthia Soto and William Delgado)

720 ILCS 5/17-5 from Ch. 38, par. 17-5

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning deceptive collection practices.

Senate Floor Amendment No. 2

Deletes reference to:

720 ILCS 5/17-5

Adds reference to:

720 ILCS 5/26-6 new

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Provides that a person commits the offense when he or she: (1) engages, with knowledge of the existence of a funeral site, in any loud singing, playing of music, chanting, whistling, yelling, or noisemaking with, or without, noise amplification including, but not limited to, bullhorns, auto horns, and microphones within 200 feet of any ingress or egress of that funeral site, where the volume of such singing, music, chanting, whistling, yelling, or noisemaking is likely to be audible at and disturbing to the funeral site; (2) displays, with knowledge of the existence of a funeral site and within 200 feet of any ingress or egress of that funeral site, any visual images that convey fighting words or actual or veiled threats against any other person; or (3) with knowledge of the existence of a funeral site, knowingly obstructs, hinders, impedes, or blocks another person's entry to or exit from that funeral site or a facility containing that funeral site, except that the owner or occupant of property may take lawful actions to exclude others from that property. Provides that a violation is a Class C misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense. Provides that the provisions of the Act are severable. Effective immediately.

May 17 06 S Public Act 94-0772

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01145 Sen. John J. Cullerton-Emil Jones, Jr. and Martin A. Sandoval
 (Rep. Annazette Collins-Barbara Flynn Currie)

720 ILCS 5/16-1.3 from Ch. 38, par. 16-1.3

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning financial exploitation of an elderly person.

Senate Floor Amendment No. 1

Deletes reference to:

720 ILCS 5/16-1.3

Adds reference to:

730 ILCS 110/16.1

Deletes everything after the enacting clause. Amends the Probation and Probation Officers Act. Provides that the 75% commitment level applies to counties of less than 1,000,000 inhabitants. Provides that any county with a decrease of juvenile commitments of at least 25% of its most immediate 3-year average chosen to participate in Redeploy Illinois shall negotiate with the Redeploy Illinois Oversight Board the targeted percentage of future juvenile offender commitment reductions outlined in its local plan. A county may identify a part of the county or specific juvenile offenders as the targeted population for its local plan.

Senate Floor Amendment No. 2

Deletes reference to:

720 ILCS 5/16-1.3

Adds reference to:

730 ILCS 110/16.1

Deletes everything after the enacting clause. Amends the Probation and Probation Officers Act relating to the Redeploy Illinois Program. Provides that for any county or group of counties with a decrease of juvenile commitments of at least 25%, based on the average reductions of the prior 3 years, which are chosen to participate or continue as pilot sites, the Redeploy Illinois Oversight Board has the authority to reduce the required percentage of future commitments to achieve the purpose of the Program.

Jul 14 06 S Public Act 94-1032

SB 01183 Sen. M. Maggie Crotty-Jacqueline Y. Collins
 (Rep. John E. Bradley)

740 ILCS 82/5

Amends the Gender Violence Act. Makes a technical change in a Section concerning the definition of "gender-related violence".

Senate Floor Amendment No. 1

Deletes reference to:

740 ILCS 82/5

Adds reference to:

750 ILCS 45/14 from Ch. 40, par. 2514

Deletes everything after the enacting clause. Amends the Illinois Parentage Act of 1984. Eliminates the provision that requires that child support be a minimum of \$10 per month, regardless of the non-custodial parent's income.

House Amendment No. 1

Restores the language requiring the court to order the non-custodial parent to pay child support to the custodial parent in a minimum amount of not less than \$10 per month, but makes that order conditional on being consistent with the listed requirements of the Social Security Act.

Jun 01 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01214 Sen. Debbie DeFrancesco Halvorson

(Rep. Richard T. Bradley, Lisa M. Dugan and Careen M Gordon)

770 ILCS 100/1

from Ch. 8, par. 51

Amends the Stallion and Jack Service Lien Act. Makes a technical change in a Section concerning the creation of liens.

Senate Floor Amendment No. 2

Deletes reference to:

770 ILCS 100/1

Adds reference to:

P.A. 94-656, Sec. 70

Adds reference to:

P.A. 94-656, Sec. 135 rep.

Deletes everything after the enacting clause. Authorizes the State to release easements for highway purposes in Kankakee County, Monroe County, LaSalle County, Peoria County, Cumberland County, and Grundy County. Authorizes the Department of Transportation to restore the rights or easement of access, crossing, light, air, and view from certain property in Madison County, subject to permit requirements of the Department of Transportation. Authorizes the Department of Transportation to convey by quitclaim deed the described parcels in Lee County and one described parcel in Stephenson County. Amends the legal description in provisions of Public Act 94-656 concerning an easement for highway purposes in Pulaski County. Repeals provisions of Public Act 94-656 concerning the transfer of land to Park Ridge Point by the Department of Transportation. Effective immediately.

Land Conveyance Appraisal Note (S-AM 2) (Dept. of Transportation)

Fair Market Value of Whole Property Section 5, \$38,000; Section 10, \$2,500; Section 15 \$5,000; Section 20 \$2,700; Section 25 \$4,704; Section 30 \$4,011; Section 35 \$8,700; Section 40 \$4,625; Section 45 \$16,500; Section 50 \$3,522.

Jun 20 06 S Public Act 94-0891

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01279 Sen. Terry Link-Emil Jones, Jr.-Kimberly A. Lightford-Donne E. Trotter-Mattie Hunter, Jacqueline Y. Collins, James T. Meeks, Kwame Raoul, James F. Clayborne, Jr. and Rickey R. Hendon
(Rep. Arthur L. Turner-Eddie Washington-Constance A. Howard-Esther Golar-Monique D. Davis, Karen A. Yarbrough, Deborah L. Graham, Marlow H. Colvin, David E. Miller, Annazette Collins, Charles E. Jefferson and William Davis)

820 ILCS 55/10 from Ch. 48, par. 2860

Amends the Right to Privacy in the Workplace Act. Makes a technical change in a Section concerning prohibited inquiries.

Senate Floor Amendment No. 1

Deletes reference to:

820 ILCS 55/10

Adds reference to:

30 ILCS 500/15-25

Adds reference to:

30 ILCS 500/45-67 new

Adds reference to:

30 ILCS 500/45-70 new

Adds reference to:

35 ILCS 5/216 new

Adds reference to:

35 ILCS 5/217 new

Adds reference to:

730 ILCS 5/3-2-2

from Ch. 38, par. 1003-2-2

Adds reference to:

730 ILCS 5/5-5-5

from Ch. 38, par. 1005-5-5

Adds reference to:

730 ILCS 5/5-5.5-5

Deletes everything after the enacting clause. Amends the Illinois Procurement Code. Requires that each notice of a contract contain a statement to encourage prospective vendors to hire qualified veterans or residents discharged from any Illinois adult correctional center. Provides that a chief procurement officer may encourage prospective vendors to consider hiring qualified veterans or residents discharged from any Illinois adult correctional center. Requires the Department of Central Management Services to submit an annual report concerning the hiring of qualified veterans or residents discharged from any Illinois adult correctional centers. Amends the Illinois Income Tax Act. Creates income tax credits for wages paid to eligible offenders and for wages paid to qualified veterans. Amends the Unified Code of Corrections. Provides that the Department of Corrections has the power to provide a pre-release job preparation program for inmates at Illinois adult correctional centers. In a Section concerning the restoration of rights, includes various Acts for which a certificate of relief from disabilities may be issued for a license or certification. In an Article concerning certificates of relief from disabilities, provides that the definition of "eligible offender" includes persons convicted not more than twice (now, not more than once) of a felony. Effective immediately.

House Amendment No. 1

In the Illinois Procurement Code, with respect to the interagency advisory committees concerning the hiring of qualified veterans and of ex-offenders, provides for appointments by the Minority Leader of the House of Representatives and the Minority Leader of the Senate. In the Illinois Income Tax Act, provides for the allowance of the income tax credits for partners, shareholders of Subchapter S corporations, and owners of limited liability companies that are treated as a partnership. Provides that the amount of the credit for wages paid to qualified ex-offenders may not exceed \$600 for all taxable years with respect to each qualified ex-offender and is 5% of the qualified wages paid to a qualified ex-offender (now, the amount of the credit is 25% of the federal work opportunity credit for wages paid to eligible offenders). Defines "qualified wages" and "qualified ex-offender". In the Section concerning the credit for wages paid to qualified veterans, requires that the veteran provide documentation to the taxpayer that the veteran has received an honorable discharge.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

It has been determined that this legislation would neither increase nor decrease the number of judges needed in the State.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

State Debt Impact Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

SB 1279 (H-AM 1) would not change the amount of authorization for any type of State-issued or State-supported bond, and ,therefore, would not affect the level of indebtedness

SB 01279 (CONTINUED)

Pension Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

SB 1279 (H-AM 1) would not impact any public pension fund or retirement system in Illinois.

Home Rule Note (H-AM 1)Dept of Commerce and Economic Opportunity)

SB 1279 (H-AM 1) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1)Dept of Commerce and Economic Opportunity)

SB 1279 (H-AM 1) does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 1)(Department of Revenue)

The Department of Revenue estimates that the tax credit for employers who hire qualified ex-offenders would reduce Illinois Income Tax revenues by approximately \$600,000 per year, beginning in calendar year 2007 and that the tax credit for employers who hire qualified veterans would reduce Illinois Income Tax revenues by approximately \$1.26 million in calendar year 2007, by approximately \$1.89 million to \$2.52 million in calendar year 2008, and increase by an unknown amount each year thereafter. Additionally, the Illinois Department of Revenue would incur administrative costs associated with the administration of the new tax credits of approximately \$50,000 to \$100,000 in fiscal year 2007 and approximately \$25,000 to \$75,000 each year thereafter.

Correctional Note (H-AM 1)(Dept of Corrections)

There is no corrections population or fiscal impact on the Department.

Balanced Budget Note (H-AM 1) (Gov. Office of Management & Budget)

This bill, if enacted, will result in reduced revenue of \$600,000 as a result of employer utilization of the tax credit for ex-offenders and \$1,300,000 as a result of employer utilization of the tax credit for veterans. The Governor's Office of Management & Budget will not have an impact on the budget balance of the State.

Jun 02 06

S Sent to the Governor

SB 01445 Sen. Terry Link

(Rep. Barbara Flynn Currie-Robin Kelly-Gary Hannig-Harry Osterman, Karen May, Naomi D. Jakobsson, Kathleen A. Ryg, Sara Feigenholtz, Karen A. Yarbrough, Kevin Joyce, Elaine Nekritz, Julie Hamos, William Delgado, Jack D. Franks and Linda Chapa LaVia)

10 ILCS 5/1-8 new

10 ILCS 5/6-9 from Ch. 46, par. 6-9

10 ILCS 5/6-11 from Ch. 46, par. 6-11

10 ILCS 5/6-74 from Ch. 46, par. 6-74

10 ILCS 5/7-56 from Ch. 46, par. 7-56

10 ILCS 5/7-58 from Ch. 46, par. 7-58

10 ILCS 5/7-59 from Ch. 46, par. 7-59

10 ILCS 5/7-60 from Ch. 46, par. 7-60

10 ILCS 5/7-60.1 from Ch. 46, par. 7-60.1

10 ILCS 5/7-63 from Ch. 46, par. 7-63

10 ILCS 5/22-1 from Ch. 46, par. 22-1

10 ILCS 5/22-8 from Ch. 46, par. 22-8

10 ILCS 5/22-9 from Ch. 46, par. 22-9

10 ILCS 5/22-9.1 from Ch. 46, par. 22-9.1

10 ILCS 5/22-12 from Ch. 46, par. 22-12

10 ILCS 5/22-15 from Ch. 46, par. 22-15

10 ILCS 5/22-17 from Ch. 46, par. 22-17

10 ILCS 5/22-18 from Ch. 46, par. 22-18

10 ILCS 5/22-1.2 rep.

10 ILCS 5/22-14 rep.

65 ILCS 20/21-27 from Ch. 24, par. 21-27

Amends the Election Code. Abolishes local canvassing boards and provides that canvasses must be done by election authorities. Requires election authorities to transmit, by fax, e-mail, or other electronic means, a certificate of the results of the election to the State Board of Elections. Amends the Revised Cities and Villages Act of 1941. Provides that recounts for the office of alderman in the City of Chicago must be filed and conducted in accordance with the Election Code (instead of within 5 days after the election).

Senate Floor Amendment No. 1

Deletes reference to:

65 ILCS 20/21-27

Adds reference to:

10 ILCS 5/23-23 from Ch. 46, par. 23-23

Further amends the Election Code. With respect to court-ordered recounts in contested elections, changes references from the "board of election commissioners or canvassing board" to the "election authority". Removes the changes to the Revised Cities and Villages Act of 1941.

Fiscal Note (S-AM 1) (Dept. of Commerce & Econ Opportunity)

Does not incur a fiscal impact on DCEO. To the extent that the legislation imposes a comprehensive impact on local revenue, an estimate cannot be determined at this time.

Fiscal Note (State Board of Elections)

This bill has little or no fiscal impact on the State Board of Elections.

House Amendment No. 1

Deletes reference to:

10 ILCS 5/1-8 new

Deletes reference to:

10 ILCS 5/6-9 from Ch. 46, par. 6-9

Deletes reference to:

10 ILCS 5/6-11 from Ch. 46, par. 6-11

SB 01445 (CONTINUED)

Deletes reference to:	
10 ILCS 5/6-74	from Ch. 46, par. 6-74
Deletes reference to:	
10 ILCS 5/7-56	from Ch. 46, par. 7-56
Deletes reference to:	
10 ILCS 5/7-58	from Ch. 46, par. 7-58
Deletes reference to:	
10 ILCS 5/7-59	from Ch. 46, par. 7-59
Deletes reference to:	
10 ILCS 5/7-60	from Ch. 46, par. 7-60
Deletes reference to:	
10 ILCS 5/7-60.1	from Ch. 46, par. 7-60.1
Deletes reference to:	
10 ILCS 5/7-63	from Ch. 46, par. 7-63
Deletes reference to:	
10 ILCS 5/22-1	from Ch. 46, par. 22-1
Deletes reference to:	
10 ILCS 5/22-8	from Ch. 46, par. 22-8
Deletes reference to:	
10 ILCS 5/22-9	from Ch. 46, par. 22-9
Deletes reference to:	
10 ILCS 5/22-9.1	from Ch. 46, par. 22-9.1
Deletes reference to:	
10 ILCS 5/22-12	from Ch. 46, par. 22-12
Deletes reference to:	
10 ILCS 5/22-15	from Ch. 46, par. 22-15
Deletes reference to:	
10 ILCS 5/22-17	from Ch. 46, par. 22-17
Deletes reference to:	
10 ILCS 5/22-18	from Ch. 46, par. 22-18
Deletes reference to:	
10 ILCS 5/22-1.2 rep.	
Deletes reference to:	
10 ILCS 5/22--14 rep.	
Adds reference to:	
10 ILCS 5/5-50	
Adds reference to:	
10 ILCS 5/6-100	
Adds reference to:	
10 ILCS 5/17-9	from Ch. 46, par. 17-9
Adds reference to:	
10 ILCS 5/18A-15	
Adds reference to:	
10 ILCS 5/19-2.1	from Ch. 46, par. 19-2.1
Adds reference to:	
10 ILCS 5/19-8	from Ch. 46, par. 19-8
Adds reference to:	
10 ILCS 5/19A-25.5	

SB 01445 (CONTINUED)

Adds reference to:

10 ILCS 5/19A-35

Adds reference to:

10 ILCS 5/19A-50

Adds reference to:

10 ILCS 5/20-8

from Ch. 46, par. 20-8

Adds reference to:

10 ILCS 5/24A-10

from Ch. 46, par. 24A-10

Adds reference to:

10 ILCS 5/24A-10.1

from Ch. 46, par. 24A-10.1

Adds reference to:

10 ILCS 5/24B-10

Adds reference to:

10 ILCS 5/24B-10.1

Adds reference to:

10 ILCS 5/24C-13

Adds reference to:

10 ILCS 5/19-9 rep.

Adds reference to:

10 ILCS 5/19A-55 rep.

Adds reference to:

10 ILCS 5/20-9 rep.

Adds reference to:

10 ILCS 5/4-50

Deletes everything after the enacting clause. Amends the Election Code. Requires the State Board of Elections to inform the public about early and grace period voting. Requires that early, absentee, and provisional ballots be counted at the election authority's central ballot counting location (now, in precinct). Prohibits early and grace period voters from revoking or canceling their votes and voting again. Permits a person to whom an absentee ballot was issued to vote in person on election day if he or she presents a piece of the torn or mutilated absentee ballot or executes an affidavit specifying that the person never received an absentee ballot. Authorizes an election authority to prohibit in-person absentee voting in municipal, township, and road district clerks' offices. With respect to early voting, requires that a voter's signature must be verified and requires that early voters using optical scan technology voting equipment must be permitted to request and vote another ballot if the voter's first ballot is not accepted by the voting equipment. Requires that an election authority transmit early voter information to the State Board of Elections for posting on its website accessible to local and State political committees. Effective immediately.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

Senate Bill 1445 (H-AM 1) would neither increase nor decrease the number of judges needed in the State.

Fiscal Note (State Board of Elections)

As indicated in Senate Bill 1445, the fiscal impact of such a program would be contingent upon funds being appropriated in next year's fiscal budget (FY07). At this point, it is not possible to determine the cost of a statewide program that would include print and electronic media service announcements, informational workshops and forums, and other educational public service materials.

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Econ Opportunity)

Does create a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act.

Home Rule Note (H-AM 1) (Dept. of Commerce & Econ Opportunity)

Does not pre-empt home rule authority.

Fiscal Note (State Board of Elections)

As indicated in Senate Bill 1445, the fiscal impact of such a program would be contingent upon funds being appropriated in next year's fiscal budget (FY07). At this point, it is not possible to determine the cost of a statewide program that would include print and electronic media service announcements, informational workshops and forums, and other educational public service materials.

SB 01445 (CONTINUED)

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

Senate Bill 1445 (H-AM 1) would neither increase nor decrease the number of judges needed in the State.

House Amendment No. 2

Adds reference to:

10 ILCS 5/1-9 new

Adds reference to:

10 ILCS 5/7-60

Adds reference to:

10 ILCS 5/9-9.5

Adds reference to:

10 ILCS 5/13-1

Adds reference to:

10 ILCS 5/13-2

Adds reference to:

10 ILCS 5/14-3.1

Adds reference to:

10 ILCS 5/18-5

from Ch. 46, par. 18-5

Adds reference to:

10 ILCS 5/19-4

from Ch. 46, par. 19-4

Adds reference to:

10 ILCS 5/19-12.2

from Ch. 46, par. 19-12.2

Adds reference to:

10 ILCS 5/19-13

from Ch. 46, par. 19-13

Adds reference to:

10 ILCS 5/19-15

Adds reference to:

10 ILCS 5/19-20 new

Adds reference to:

10 ILCS 5/19A-21 new

Adds reference to:

10 ILCS 5/19A-60

Adds reference to:

10 ILCS 5/20-2

from Ch. 46, par. 20-2

Adds reference to:

10 ILCS 5/20-2.1

from Ch. 46, par. 20-2.1

Adds reference to:

10 ILCS 5/20-2.2

from Ch. 46, par. 20-2.2

Adds reference to:

10 ILCS 5/20-2.3

from Ch. 46, par. 20-2.3

Adds reference to:

10 ILCS 5/20-4

from Ch. 46, par. 20-4

Adds reference to:

10 ILCS 5/20-15

Adds reference to:

10 ILCS 5/20-20 new

Adds reference to:

10 ILCS 5/24-1

from Ch. 46, par. 24-1

Adds reference to:

SB 01445 (CONTINUED)

10 ILCS 5/24A-9 from Ch. 46, par. 24A-9
Adds reference to:
10 ILCS 5/24A-15 from Ch. 46, par. 24A-15
Adds reference to:
10 ILCS 5/24A-16 from Ch. 46, par. 24A-16
Adds reference to:
10 ILCS 5/24B-9
Adds reference to:
10 ILCS 5/24B-15
Adds reference to:
10 ILCS 5/24B-16
Adds reference to:
10 ILCS 5/24C-9
Adds reference to:
10 ILCS 5/24C-15
Adds reference to:
10 ILCS 5/24C-16
Adds reference to:
10 ILCS 5/5/19-20 new
Adds reference to:
10 ILCS 5/20-20 new
Adds reference to:
10 ILCS 5/9-9.5

Deletes everything after the enacting clause. Amends the Election Code. Makes changes in provisions concerning: disclosure on or in campaign communications; education programs in early and grace period voting; early voting procedures; counting of all absentee, early, grace period, and provisional ballots at each election authority's central ballot counting location rather than in precincts; signature verification of in person absentee, early, and grace period voters at the time of voting; signature verification of absentee ballot applicants and absentee ballots other than in person absentee ballots; each election authority's transmission of voter names and information to the State Board of Elections within one day after casting early and grace period ballots; restrictions on in-person absentee voting at the offices of municipal, township, and road district clerks; prohibition against revocation of early and grace period ballots in order to vote on election day; revocation of absentee ballots under certain circumstances in order to vote early or on election day; an early voter's right to a new ballot upon rejection of a ballot by optical scan technology voting equipment; notice and hearing procedures with respect to certain absentee voters whose ballots are rejected; pollwatchers at early voting polling places; and testing and approval of voting equipment. Effective immediately.

Fiscal Note (H-AM 2) (Board of Elections)

Requires the State Board of Elections, subject to appropriation, to develop and implement an educational program to inform the public about early and grace period voting: \$43,200. Within one day after a voter casts a grace period or early voter ballot, the election authority shall transmit such information to the State Board of Elections. The Board shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. These numbers are predicated on a fully automated upload and handling process. If election authorities insist on using paper, the cost to implement and maintain this initiative would go significantly higher: \$46,000 to implement and \$31,000 annually thereafter. On or before the 21st day after an election, the election authority shall transmit to the State Board of Elections the number of absentee ballots, precinct by precinct, that were requested, received, counted, rejected, and counted following review. On or before the 28th day after an election, the Board shall compile the information and make such information available to the public. Once again this is predicated on a fully automated upload and data handling process. Using that assumption, our costs would be: \$101,000 to implement and \$81,000 annually thereafter.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Correctional Note (H-AM 2)(Dept of Corrections)

There is no corrections population or fiscal impact on the Department.

SB 01445 (CONTINUED)

State Debt Impact Note (H-AM 2) (Com. on Gov. Forecasting & Accountability)

Would not affect the level of State indebtedness.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State.

Pension Note (H-AM 2) (Com. on Gov. Forecasting & Accountability)

This legislation would not impact any public pension fund or retirement system in Illinois.

Balanced Budget Note (H-AM 2) (Gov. Office of Management & Budget)

No material impact to the State's budget.

Home Rule Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

This legislation does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

This legislation creates a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act.

Jul 03 06 S Public Act 94-1000

SB 01497 Sen. Kimberly A. Lightford, Pamela J. Althoff-Martin A. Sandoval-John J. Millner-Carol Ronen-Donne E. Trotter, Kwame Raoul, M. Maggie Crotty, Jacqueline Y. Collins, Arthur J. Wilhelmi, Ira I. Silverstein, James F. Clayborne, Jr., Deanna Demuzio, Susan Garrett, James T. Meeks, Terry Link, Mike Jacobs, John M. Sullivan, Iris Y. Martinez and Don Harmon

(Rep. Barbara Flynn Currie-Harry Osterman-Lisa M. Dugan-Monique D. Davis, Elaine Nekritz, Calvin L. Giles, Deborah L. Graham, Karen May, Kathleen A. Ryg, Robin Kelly, Wyvetter H. Younge and Julie Hamos)

105 ILCS 5/14-7.03 from Ch. 122, par. 14-7.03

Amends the School Code with respect to special education classes for children from orphanages, foster family homes, children's homes, or in-State housing units. In a provision that allows reimbursement for the costs of educating a disabled student who is placed residentially by a State agency or the courts for care or custody, welfare, medical or mental health treatment, rehabilitation, and protection, provides that it is the intent of that provision that school districts be reimbursed for the eligible costs of educating all students residentially placed by a State agency or the courts for any of the reasons listed whether such placement was made on, before, or after the effective date of the amendatory Act. Effective immediately.

House Amendment No. 3

Deletes reference to:

105 ILCS 5/14-7.03

Adds reference to:

105 ILCS 5/2-3.71 from Ch. 122, par. 2-3.71

Deletes everything after the enacting clause. Amends the School Code. With respect to the preschool grant program administered by the State Board of Education, from July 1, 2006 through June 30, 2008, provides that appropriated funds shall be distributed to achieve a goal of "Preschool for All Children" for the benefit of all children whose families choose to participate in the program, with newly funded programs selected through a process giving first priority to qualified programs serving primarily at-risk children and second priority to qualified programs serving primarily children with a family income of less than 4 times certain poverty guidelines, and provides that at-risk children are those who because of their home and community environment are subject to such language, cultural, economic, and like disadvantages to cause them to have been determined to be at risk of academic failure (now and after June 30, 2008, appropriated funds must be distributed for the benefit of children who because of their home and community environment are subject to such language, cultural, economic, and like disadvantages that they have been determined to be at risk of academic failure). Makes changes concerning reporting certain information about the grant program to the General Assembly.

Effective July 1, 2006.

Jun 02 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01520 Sen. Donne E. Trotter-Jeffrey M. Schoenberg-Mattie Hunter-Jacqueline Y. Collins
(Rep. Michael J. Madigan-Gary Hannig-Daniel J. Burke-Monique D. Davis)

Appropriates \$2 from the General Revenue Fund to the General Assembly for its FY 06 ordinary and contingent expenses.
Effective July 1, 2005.

House Amendment No. 1

Deletes everything after the enacting clause. Makes omnibus appropriations and reappropriations for fiscal year 2007. Makes various supplemental appropriations for fiscal year 2006. Effective July 1, 2006, except the supplemental appropriations are effective immediately.

May 22 06 S Public Act 94-0798

SB 01625 Sen. Jeffrey M. Schoenberg
(Rep. Gary Hannig-Barbara Flynn Currie, Edward J. Acevedo, Maria Antonia Berrios and William Davis)

20 ILCS 3501/845-5

Amends the Illinois Finance Authority Act. Provides that the Authority may not have outstanding at any one time bonds for any of its corporate purposes in an aggregate principal amount exceeding \$29,000,000,000 (now, \$23,000,000,000). Effective immediately.

House Amendment No. 1

Adds reference to:

New Act

Adds reference to:

20 ILCS 3501/801-40

Adds reference to:

20 ILCS 3805/26.1 from Ch. 67 1/2, par. 326.1

Adds reference to:

70 ILCS 510/9 from Ch. 85, par. 6209

Adds reference to:

70 ILCS 510/9.1 from Ch. 85, par. 6209.1

Adds reference to:

70 ILCS 510/15 from Ch. 85, par. 6215

Adds reference to:

70 ILCS 515/9 from Ch. 85, par. 6509

Adds reference to:

70 ILCS 515/9.1 from Ch. 85, par. 6509.1

Adds reference to:

70 ILCS 515/14 from Ch. 85, par. 6514

Adds reference to:

70 ILCS 518/20

Adds reference to:

70 ILCS 518/25

Adds reference to:

70 ILCS 518/35

Adds reference to:

70 ILCS 518/45

Adds reference to:

70 ILCS 518/50

Adds reference to:

70 ILCS 520/7 from Ch. 85, par. 6157

Adds reference to:

70 ILCS 520/10 from Ch. 85, par. 6160

Adds reference to:

70 ILCS 525/2007 from Ch. 85, par. 7507

Adds reference to:

70 ILCS 530/7 from Ch. 85, par. 7157

Adds reference to:

70 ILCS 530/10 from Ch. 85, par. 7160

Adds reference to:

70 ILCS 532/40

Adds reference to:

70 ILCS 532/55

SB 01625 (CONTINUED)

Adds reference to:

70 ILCS 535/7

from Ch. 85, par. 7457

Deletes everything after the enacting clause. Creates the Southern Illinois Economic Development Authority Act. Establishes the Southern Illinois Economic Development Authority in Franklin, Perry, Randolph, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac counties in order to promote economic development within those counties. Contains provisions concerning the powers and duties of the Authority. Allows the Authority to acquire, own, sell, lease, or otherwise dispose of interests in real property and to issue bonds, notes, or other evidences of indebtedness for certain purposes in an aggregate amount not to exceed \$250,000,000. Sets forth procedures for the operation of the Authority. Contains other provisions. Amends the Illinois Finance Authority Act, provides that the Authority may not have outstanding at any one time bonds for any of its corporate purposes in an aggregate principal amount exceeding \$29,000,000,000 (now, \$24,000,000,000). Sets forth moral obligation bonds issued by the Authority. Amends the Illinois Finance Authority Act, the Quad Cities Regional Economic Development Authority Act, approved September 22, 1987, the Quad Cities Regional Economic Development Authority Act, certified December 30, 1987, the Southeastern Illinois Economic Development Authority Act, the Southwestern Illinois Development Authority Act, Tri-County River Valley Development Authority Law, the Upper Illinois River Valley Development Authority Act, the Western Illinois Economic Development Authority Act, and the Will-Kankakee Regional Development Authority Law. States that certain provisions concerning the State's moral obligation for the bonds of regional development authorities or the Illinois Housing Development Authority apply only with respect to bonds issued before certain dates. Provides that regional development authorities may not designate territory for certification as an enterprise zone on or after certain dates. In the Quad Cities Regional Economic Development Authority Acts, increases the amount of the Quad Cities Regional Economic Development Authority's bond authorization from \$100 million to \$250 million. In the Southwestern Illinois Development Authority Act, provides that the Authority may not have more than \$450 million in outstanding bonds. In the Southeastern Illinois Economic Development Authority Act, adds Irvington Township in Washington County to the Authority's territorial jurisdiction and makes corresponding changes. Effective immediately.

House Amendment No. 4

Deletes reference to:

New Act

Deletes reference to:

20 ILCS 3501/801-40

Deletes reference to:

20 ILCS 3805/26.1

from Ch. 67 1/2, par. 326.1

Deletes reference to:

70 ILCS 510/9

from Ch. 85, par. 6209

Deletes reference to:

70 ILCS 510/9.1

from Ch. 85, par. 6209.1

Deletes reference to:

70 ILCS 510/15

from Ch. 85, par. 6215

Deletes reference to:

70 ILCS 515/9

from Ch. 85, par. 6509

Deletes reference to:

70 ILCS 515/9.1

from Ch. 85, par. 6509.1

Deletes reference to:

70 ILCS 515/14

from Ch. 85, par. 6514

Deletes reference to:

70 ILCS 518/20

Deletes reference to:

70 ILCS 518/25

Deletes reference to:

70 ILCS 518/35

Deletes reference to:

70 ILCS 518/45

Deletes reference to:

70 ILCS 518/50

SB 01625 (CONTINUED)

Deletes reference to:	
70 ILCS 520/7	from Ch. 85, par. 6157
Deletes reference to:	
70 ILCS 520/10	from Ch. 85, par. 6160
Deletes reference to:	
70 ILCS 525/2007	from Ch. 85, par. 7507
Deletes reference to:	
70 ILCS 530/7	from Ch. 85, par. 7157
Deletes reference to:	
70 ILCS 530/10	from Ch. 85, par. 7160
Deletes reference to:	
70 ILCS 532/40	
Deletes reference to:	
70 ILCS 532/55	
Deletes reference to:	
70 ILCS 535/7	from Ch. 85, par. 7457

Deletes everything after the enacting clause. Amends the Illinois Finance Authority Act. Provides that the Authority may not have outstanding at any one time bonds for any of its corporate purposes in an aggregate principal amount exceeding \$25,200,000,000 (now, \$24,000,000,000). Effective immediately.

Fiscal Note (H-AM 4)(Illinois Finance Authority)

SB 1625 (H-AM 4) does not increase the authorization of the Illinois Finance Authority to issue State-supported or State-guaranteed bonds, therefore, SB 1625 (H-AM 4) does not impact the expenditure of State funds or increase or decrease revenues of the State.

State Debt Impact Note (H-AM 4) (Com. on Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued bond, however, it does increase the bonding authority for the Illinois Finance Authority to \$25.2 billion (currently \$24 billion) in aggregate principal outstanding at any one time.

Balanced Budget Note (H-AM 4) (Gov. Office of Management & Budget)

As amended, will have no direct impact on the State's budget or State revenue.

Jun 02 06 S Sent to the Governor

SB 01681 Sen. Terry Link

(Rep. Karen A. Yarbrough-Barbara Flynn Currie, William Delgado, Deborah L. Graham, Cynthia Soto and Richard T. Bradley)

New Act

Creates the Court Grandparent Awareness Training Act. Provides that the Administrative Office of the Illinois Courts shall create an awareness training course that addresses and sensitizes judges and judicial personnel to the unique problems and issues faced by grandparents who are raising their grandchildren. Requires that all judges and judicial personnel attend initial training within 90 days after the effective date of the Act or within 90 days after their appointment or transfer or date of hire, as appropriate, as well as an annual in-service training. Establishes minimum guidelines for the training course content.

House Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

705 ILCS 35/2 from Ch. 37, par. 72.2

Adds reference to:

705 ILCS 35/2f-1

Adds reference to:

705 ILCS 35/2f-2

Adds reference to:

705 ILCS 35/2f-5

Deletes everything after the enacting clause. Amends the Circuit Courts Act. Provides that the number of circuit judgeships in the 19th (Lake County) and 22nd (McHenry County) circuits is governed by the Act's provisions specifically dealing with those circuits and not by the Act's provisions dealing generally with all circuits on the basis of population. Effective immediately.

Fiscal Note (H-AM 1)(Admin Office of the Illinois Courts)

Based on a review of this bill it has been determined that this legislation would have no fiscal impact on the judicial branch.

State Mandates Fiscal Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

Senate Bill 1681 (H-AM 1) does not create a State mandate under the State Mandate Act.

Judicial Note (H-AM 1) (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Fiscal Note (H-AM 1)(Admin Office of the Illinois Courts)

Based on a review of this bill it has been determined that this legislation would have no fiscal impact on the judicial branch.

House Amendment No. 2

Adds reference to:

705 ILCS 35/2f-4

Deletes everything after the enacting clause. Amends the Circuit Courts Act. Adds a judgeship to the 4th subcircuit of the 12th (Will County) circuit April 1, 2006, to be filled by appointment until filled at the 2008 general election; provides that the first vacancy occurring in that circuit (other than in the newly created judgeship or the other 3 most recently created judgeships) shall not be filled in order to reduce the number of judgeships by one. In the 19th (Lake County) and the 22nd (McHenry County) circuits, provides that each circuit shall have (i) the number of judges specified in the provisions governing those circuits, rather than the provisions governing circuits on the basis of population, plus one judgeship created by those general provisions and filled at the 2006 general election or (ii) only the number of judgeships specified in the provisions specifically governing those circuits if this bill is declared unconstitutional. Decertifies any candidates certified before, on, or after the bill's effective date for second and any subsequent judgeships created by the provisions governing the circuits on the basis of population. If the number of judgeships in the 19th or 22nd circuits exceeds the number set by this bill, reduces the excess number by eliminating judgeships as they become vacant. Adds a severability clause. Effective immediately.

Fiscal Note (H-AM 2)(Admin Office of the Illinois Courts)

Based on a review of Senate Bill 1681 (H-AM 2), it has been determined that this legislation would have a fiscal impact on the judicial branch.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

Based on a review of SB 1681 (H-AM 1), it has been determined that this legislation would increase the number of judges needed in the state.

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01681 (CONTINUED)

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

Senate Bill 1681 (H-AM 2) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Pension Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

Senate Bill 1681 (H-AM 2) would not impact any public pension fund or retirement system in Illinois.

Housing Affordability Impact Note (H-AM 2) (Housing Development Authority)

No affect on the price of a single-family residence.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

Senate Bill 1681 (H-AM 2) does not create a State mandate under the State Mandate Act.

Home Rule Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

Senate Bill 1681 (H-AM 2) does not pre-empt home rule authority.

Correctional Note (H-AM 2) (Dept. of Corrections)

Corrections Population Impact: None. Fiscal Impact: None.

Housing Affordability Impact Note (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Feb 14 06 S Public Act 94-0727

SB 01682 Sen. Don Harmon-John J. Millner-Pamela J. Althoff-Chris Lauzen-Christine Radogno, Cheryl Axley, Dan Cronin and M. Maggie Crotty

(Rep. Michael Tryon-Jack D. Franks-Roger Jenisch-Mark H. Beaubien, Jr.-Timothy L. Schmitz, Sandra M. Pihos, Ruth Munson, John A. Fritchey, Roger L. Eddy, Harry R. Ramey, Jr., Terry R. Parke, Kathleen A. Ryg, Ed Sullivan, Jr., Joe Dunn, Patricia R. Bellock, Linda Chapa LaVia, Elizabeth Coulson, Carolyn H. Krause, Randall M. Hultgren, Elaine Nekritz, Sidney H. Mathias, Angelo Saviano, Jim Durkin, Suzanne Bassi and Ronald A. Wait)

35 ILCS 200/18-190

35 ILCS 200/18-205

35 ILCS 200/18-230

Amends the Property Tax Extension Limitation Law of the Property Tax Code. Sets forth procedures that taxing districts must follow when seeking referendum approval after April 5, 2005 to increase (i) the maximum authorized tax rate for any fund for which the taxing district is authorized by statute to levy taxes and which rate is limited by prior referendum or statutory authorization and which rate is authorized by statute to be increased for a limited or unlimited number of years by direct (and not back door) referendum, except for increases that require an equal corresponding tax rate decrease for another fund or (ii) the maximum extended tax rate applicable only to the next taxes to be either levied or extended for any fund notwithstanding the limiting rate that would otherwise be applicable for such taxing district. Sets forth requirements for form of ballot propositions and referendum notices. Sets forth procedures for setting the new tax rates. Provides that a taxing district is limited to an extension limitation (instead of "extension increase") of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year, whichever is less.

House Amendment No. 1

Adds reference to:

35 ILCS 200/18-125

Adds reference to:

35 ILCS 200/18-185

Deletes everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes: Makes changes to the form of propositions for rate referenda held after March 21, 2006. Makes changes to the procedures for setting new tax rates for an increase or decrease approved after March 21, 2006. Provides that taxing districts that approved a rate increase proposition before March 22, 2006 may opt, instead, to be governed by the same procedures that taxing districts must follow whenever seeking referendum approval after March 21, 2006. Makes other changes. Effective immediately.

House Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill, as amended, with the following changes: Deletes provisions concerning referendum approvals for increases of specific tax rates. Makes additional changes to the form of propositions for rate referenda held after March 21, 2006. Deletes provisions that taxing districts that approved a rate increase proposition before March 22, 2006 may opt, instead, to be governed by the same procedures that taxing districts must follow whenever seeking referendum approval after March 21, 2006. Makes other changes. Effective immediately.

House Amendment No. 3

Deletes everything after the enacting clause. Reinserts the provisions of the bill, as amended by House Amendment No. 2, but further amends the Property Tax Code to add additional language that must be included with a ballot proposition to increase a limiting rate stating that, if the proposition is approved, the aggregate extension for each levy year for which the increase will apply will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law. Effective immediately.

Land Conveyance Appraisal Note (H-AM 3)(Department of Transportation)

As there are no parcels of land owned by the Illinois Department of Transportation being conveyed in this bill, there are no appraisals to be filed by the Department.

State Debt Impact Note (H-AM 3)(Comm on Gov't Forecasting & Accountability)

SB 1682 (H-AM 3) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Pension Note (H-AM 3)(Comm on Gov't Forecasting & Accountability)

SB 1682 (H-AM 3) will not impact any public pension fund or retirement system in Illinois.

Judicial Note (H-AM 3) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Fiscal Note (H-AM 3) (Dept. of Revenue)

No direct fiscal impact on State revenues or the Department of Revenue.

Balanced Budget Note (H-AM 3)(Gov Office of Mgmt and Budget)

SB 01682 (CONTINUED)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will have no impact to the State's budget.

Jun 30 06 S Public Act 94-0976

SB 01705 Sen. Don Harmon-Susan Garrett, Debbie DeFrancesco Halvorson, Pamela J. Althoff-Jacqueline Y. Collins-Todd
Sieben-Mike Jacobs and William R. Haine
(Rep. George Scully, Jr.-Barbara Flynn Currie-Julie Hamos-Mary E. Flowers, John D'Amico, Jack D. Franks, Karen May,
Kathleen A. Ryg, Wyvetter H. Younge, Paul D. Froehlich, Elizabeth Coulson, Dave Winters and Elaine Nekritz)

220 ILCS 5/16-101A

220 ILCS 5/16-102

220 ILCS 5/16-107

Amends the Public Utilities Act. Requires each electric utility to file, on or before February 1, 2006, a tariff or tariffs which allow residential retail customers in the electric utility's service area to elect real-time pricing beginning January 1, 2007. Sets forth information required to be included in the tariff. Requires an electric utility providing real-time pricing to install an appropriate meter for customers who elect to use real-time pricing and in all new service locations unless the customer requests a watt-hour meter. Requires the electric utility to contract with an Illinois nonprofit corporation to develop a program of consumer outreach, education, and enrollment concerning real-time pricing and to establish and administer information and technical and customer assistance for management of electricity use. Authorizes the electric utility to impose a uniform charge on all residential customers in order to recover its reasonable costs in complying with the real-time pricing provisions. Defines "real-time pricing" to mean tariffed retail charges for delivered electric power and energy that vary hour-to-hour (now, that vary on an hour-to-hour basis for non-residential retail customers and that vary on a periodic basis during the day for residential retail customers) and that are determined from prices posted by the Independent System Operator or by a comparable methodology approved by the Illinois Commerce Commission. Effective immediately.

Senate Committee Amendment No. 1

Deletes a provision requiring each electric utility providing real-time pricing to install a meter capable of recording hourly interval energy use in all new service locations unless a watt-hour meter is specifically requested by the customer.

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Public Utilities Act. Requires each electric utility to file a tariff or tariffs allowing residential retail customers in the electric utility's service area to elect real-time pricing beginning January 1, 2007. Provides that the Commission may, after notice and hearing, approve the tariff or tariffs, provided that the Commission finds that the potential for demand reductions will result in net economic benefits to all residential customers of the electric utility. Sets forth information required to be included in the tariff. Requires an electric utility providing real-time pricing to install an appropriate meter for customers who elect to use real-time pricing. Requires the electric utility to contract with a program administrator to develop a program of consumer outreach, education, and enrollment concerning real-time pricing and to establish and administer information and technical and customer assistance for management of electricity use. Authorizes an electric utility to recover reasonable costs incurred in complying with such an order by imposing a uniform charge, included in its customer charge, on the residential customers in its service territory. Defines "real-time pricing" to mean tariffed retail charges for delivered electric power and energy that vary hour-to-hour (now, that vary on an hour-to-hour basis for non-residential retail customers and that vary on a periodic basis during the day for residential retail customers) and that are determined from wholesale market prices using a methodology approved by the Commission. Makes other changes. Effective immediately.

House Amendment No. 3

Replaces everything after the enacting clause with the bill as amended by House Amendment No. 1, with the following changes: Requires that electric utilities file the real-time pricing tariff beginning January 2, 2007 (was, January 1, 2007). Provides that a customer who elects real-time pricing shall remain on such rate for a minimum of 12 months. Provides that the Illinois Commerce Commission shall, in examining economic benefits from demand reductions, consider certain factors. Makes changes concerning the contents of the tariff. Removes the limitation on how an electric utility may recover its reasonable costs, but stipulates that recovery of the costs be fairly apportioned among the electric utility's residential customers, including, under specified circumstances, residential customers who do not elect real-time pricing. Provides that the provisions concerning real-time pricing do not apply to any electric utility providing service to 100,000 or fewer customers. Effective immediately.

Jun 30 06 S Public Act 94-0977

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01827 Sen. Don Harmon-Todd Sieben-Dan Cronin-Antonio Munoz-Jacqueline Y. Collins, Martin A. Sandoval and Edward D. Maloney
(Rep. Sidney H. Mathias-Roger L. Eddy-Kathleen A. Ryg-Robert F. Flider, Michael Tryon, Dan Brady and Julie Hamos)

50 ILCS 515/5

50 ILCS 515/15

50 ILCS 515/20

105 ILCS 5/19b-1.1 from Ch. 122, par. 19b-1.1

105 ILCS 5/19b-1.5 new

110 ILCS 62/5-10

110 ILCS 62/5-23 new

110 ILCS 62/15

110 ILCS 62/20

110 ILCS 805/5A-10

110 ILCS 805/5A-23 new

110 ILCS 805/5A-35

110 ILCS 805/5A-40

Amends the Local Government Energy Conservation Act, the School Code, the Public University Energy Conservation Act, and the Public Community College Act. Defines "energy conservation measure" to include energy conservation measures that reduce energy consumption or reduce operating costs, including future labor costs, future costs for contracted services, and related capital expenditures. Defines "related capital expenditures". Provides that a unit of local government, public university, or public community college district may enter into a guaranteed energy savings contract if it finds that the amount it would spend on the energy conservation measures recommended in the proposal would not exceed the amount to be saved in either energy costs or operational costs, or both, within a 20-year period (now, a 10-year period) from the date of installation, if the recommendations in the proposal are followed. Makes corresponding changes. For purposes of the Local Government Energy Conservation Act, defines "unit of local government" to include park districts. Effective immediately.

House Amendment No. 1

Deletes reference to:

50 ILCS 515/15

Deletes reference to:

50 ILCS 515/20

Deletes reference to:

105 ILCS 5/19b-1.1 from Ch. 122, par. 19b-1.1

Deletes reference to:

105 ILCS 5/19b-1.5 new

Deletes reference to:

110 ILCS 62/5-10

Deletes reference to:

110 ILCS 62/5-23 new

Deletes reference to:

110 ILCS 805/5A-10

Deletes reference to:

110 ILCS 805/5A-23 new

Deletes everything after the enacting clause. Reinserts certain provisions of the bill as introduced with the following changes. In the Local Government Energy Conservation Act, makes changes to the definition of "energy conservation measure", deletes the definition of "related capital expenditures", and restores the provisions concerning the award of a guaranteed energy savings contract and a guarantee. Restores the provisions of the School Code. In the Public University Energy Conservation Act and the Public Community College Act, restores the provisions concerning energy conservation measures and removes the provisions concerning related capital expenditures. Effective immediately.

House Amendment No. 2

Adds reference to:

SB 01827 (CONTINUED)

50 ILCS 515/3 new

Adds reference to:

50 ILCS 515/4 new

Adds reference to:

50 ILCS 515/10

Adds reference to:

110 ILCS 62/3 new

Adds reference to:

110 ILCS 62/4 new

Adds reference to:

110 ILCS 62/5-10

Adds reference to:

110 ILCS 62/5-25

Adds reference to:

110 ILCS 62/10

Adds reference to:

110 ILCS 805/1-3 new

Adds reference to:

110 ILCS 805/1-4 new

Adds reference to:

110 ILCS 805/5A-10

Adds reference to:

110 ILCS 805/5A-25

Adds reference to:

110 ILCS 805/5A-30

Deletes everything after the enacting clause. Reinserts the provisions of the bill, as amended by House Amendment No. 1, with the following changes. Amends the Local Government Energy Conservation Act, the Public University Energy Conservation Act, and the Public Community College Act to set forth a provision concerning applicable laws. In each Act, provides that no provision of the Act shall be interpreted to require the implementation of energy conservation measures that conflict with respect to any property eligible for, nominated to, or entered on the National Register of Historic Places or the Illinois Register of Historic Places. Makes changes in the definition of "energy conservation measure" and "request for proposals". Prohibits a licensed architect or registered professional engineer evaluating a proposal from having any financial or contractual relationship with a qualified provider or other source that would constitute a conflict of interest. Makes other changes. Effective immediately.

Jun 01 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01863 Sen. Mattie Hunter-Jeffrey M. Schoenberg, James F. Clayborne, Jr., Iris Y. Martinez, Kwame Raoul, Donne E. Trotter and Jacqueline Y. Collins

(Rep. Barbara Flynn Currie-Eddie Washington-Arthur L. Turner-Annazette Collins, William Delgado, Harry Osterman, Robert Rita, Monique D. Davis, William Davis, Calvin L. Giles, Elaine Nekritz, Sara Feigenholtz, Mary E. Flowers, Deborah L. Graham, Robin Kelly, Cynthia Soto, Kathleen A. Ryg, Naomi D. Jakobsson, Milton Patterson, Michael K. Smith, Dan Reitz, Brandon W. Phelps, Kurt M. Granberg, Jack D. Franks, Linda Chapa LaVia, John E. Bradley, Marlow H. Colvin, Daniel V. Beiser, Careen M Gordon, Lisa M. Dugan and Gary Hannig)

20 ILCS 2215/4-2 from Ch. 111 1/2, par. 6504-2

Amends the Illinois Health Care Finance Reform Act. Requires the Department of Public Health to require all ambulatory surgical treatment centers licensed to operate in the State (now, the requirement applies only to hospitals licensed to operate in the State) to adopt a uniform system for submitting patient claims and encounter data (now, patient billing data) for payment from public and private payors. Requires hospitals and ambulatory surgical centers to submit billing data to the Department of Public Health no later than 60 days after the end of each calendar quarter. Requires the Department to include certain information in its "Consumer Guide to Health Care" on its website. Authorizes the Department to disclose certain information on its website. Authorizes the Department to promulgate rules concerning the provisions of the Illinois Health Care Finance Reform Act. Requires that ambulatory surgical treatment centers, organizations representing ambulatory surgical treatment centers, purchasers, consumer groups, and health plans be meaningfully involved in the development of all aspects of the Department's methodology for collecting, analyzing, and disclosing the information collected under this Act. Requires the Department to evaluate additional methods for comparing the performance of hospitals and ambulatory surgical treatment centers and report its findings and recommendations on its Internet website and to the Governor and General Assembly no later than January 1, 2006. Makes other changes. Effective immediately.

State Mandates Fiscal Note (Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, Senate Bill 1863 (Engrossed) does not create a State mandate under the State Mandates Act.

Fiscal Note (Department of Public Health)

The estimated fiscal impact of Senate Bill 1863 to the Illinois Department of Public Health is \$200,000. These costs will be offset with the passage of the companion bill House Bill 2344.

House Amendment No. 2

Deletes reference to:

20 ILCS 2215/4-2

Adds reference to:

5 ILCS 100/5-45 from Ch. 127, par. 1005-45

Adds reference to:

5 ILCS 100/5-46.2 new

Adds reference to:

305 ILCS 5/5-5.4 from Ch. 23, par. 5-5.4

Adds reference to:

305 ILCS 5/5A-2 from Ch. 23, par. 5A-2

Adds reference to:

305 ILCS 5/5A-12.1

Adds reference to:

305 ILCS 5/12-4.36 new

Adds reference to:

305 ILCS 5/5-5.22 rep.

SB 01863 (CONTINUED)

Replaces everything after the enacting clause. Creates the FY2007 Budget Implementation (Human Services) Act for the purpose of implementing the Governor's FY2007 budget recommendations concerning human services. Amends the Illinois Administrative Procedure Act and the Illinois Public Aid Code. Authorizes the Department of Healthcare and Family Services to adopt emergency rules during FY2007, including rules effective July 1, 2007, to the extent necessary to administer the Department's responsibilities with respect to amendments and waivers to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act, in order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2007 budget. Provides that in order to provide for the timely and expeditious implementation of the federally approved amendment to the State Medicaid Plan, the Department of Healthcare and Family Services may adopt rules necessary to implement changes resulting from that amendment to the hospital access improvement payments authorized by Public Act 94-242 and the Illinois Public Aid Code. Authorizes the Department to use emergency rulemaking. Provides that this emergency rulemaking authority is granted by, and may be exercised only during, the 94th General Assembly. Provides that in connection with Medicaid rates paid to nursing homes, no rate increase and no update for inflation shall be provided before July 1, 2007 (instead of 2006) unless specifically provided for in those provisions. Also in connection with Medicaid rates paid to nursing homes, (i) provides that for facilities licensed by the Department of Public Health under the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006 and (ii) provides that these socio-development component rates may be adjusted, but in no case may they be diminished. Also authorizes the Department to adopt rules during the 94th General Assembly to reduce the rate of any annual assessment imposed on hospitals. Authorizes the Department of Human Services to initiate a 3-year pilot program of home and community-based medical services for persons who are medically fragile and technology-dependent. Makes other changes. Repeals provisions concerning nursing home inspections of care by the Department of Healthcare and Family Services. Effective immediately.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce & Economic Opportunity)

This legislation does not impose requirements on units of local government, therefore, does not create a State mandate under the State Mandates Act.

Home Rule Note (H-AM 2) (Dept. of Commerce & Econ Opportunity.)

Does not pre-empt home rule authority.

Fiscal Note (H-AM 2) (Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will have a fiscal impact of at least \$100 million, which will be necessary to enact a balanced budget.

Balanced Budget Note (H-AM 2)(Gov. Office of Management & Budget)

Will have impact of preserving a balanced State budget in fiscal year 2007.

Pension Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

This legislation would not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

Would not affect the level of state indebtedness.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State of Illinois.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01892 Sen. Ira I. Silverstein-Peter J. Roskam-Carole Pankau-Jacqueline Y. Collins and Dave Syverson

(Rep. Charles E. Jefferson-Sidney H. Mathias-Brandon W. Phelps, Patricia Reid Lindner, Milton Patterson, Robin Kelly, Linda Chapa LaVia, Edward J. Acevedo, William Delgado, Cynthia Soto, Michael K. Smith, John D'Amico, Annazette Collins, Kathleen A. Ryg, Gary Hannig, Dave Winters and Ronald A. Wait)

815 ILCS 505/2MM

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a consumer who has been the victim of identity theft may place a security freeze on his or her credit report by making a request in writing by certified mail to a consumer credit reporting agency with a valid copy of a police report, investigative report, or complaint that the consumer has filed with a law enforcement agency about unlawful use of his or her personal information by another person. Requires a credit reporting agency to place a security freeze on a consumer's credit report no later than 5 business days after receiving a written request from the consumer. Provides that if the consumer wishes to allow his or her credit report to be accessed for a specific party, parties, or period of time while a freeze is in place, he or she shall contact the consumer credit reporting agency, request that the freeze be temporarily lifted, and provide certain information. Provides that if a security freeze is in place, a credit reporting agency shall not change any of the following official information in a credit report without sending a written confirmation of the change to the consumer within 30 days of the change being posted to the consumer's file: (i) name; (ii) date of birth; (iii) Social Security number; and (iv) address. Provides that certain entities are not required to place a security freeze in a credit report provided certain conditions are met. Defines "proper identification".

House Amendment No. 2

Deletes reference to:

815 ILCS 505/2MM

Adds reference to:

94SB17 Art. 10, Sec. 10-2

Adds reference to:

94SB17 Art. 10, Sec. 10-4

Adds reference to:

94SB17 Art. 10, Sec. 10-5.3

Deletes everything after the enacting clause. Provides that, if and only if Senate Bill 17 of the 94th General Assembly becomes law, the River Edge Redevelopment Zone Act is amended by adding one pilot River Edge Redevelopment Zone in the City of Rockford. Makes corresponding changes. Effective immediately.

State Debt Impact Note (H-AM 2)Comm on Govt Forecasting and Accountability)

Would not affect the level of state indebtedness.

Pension Note (H-AM 2)Comm on Govt Forecasting and Accountability)

This legislation would not impact any public pension fund or retirement system in Illinois.

Correctional Note (H-AM 2)(Dept of Corrections)

There is no corrections population impact on the Department.

Jul 12 06 S Public Act 94-1022

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01977 Sen. Jeffrey M. Schoenberg-Donne E. Trotter-Jacqueline Y. Collins
(Rep. Michael J. Madigan-Gary Hannig)

30 ILCS 305/0.01 from Ch. 17, par. 6600

Amends the Bond Authorization Act. Makes a technical change in a Section concerning the short title.

Senate Committee Amendment No. 1

Deletes reference to:

30 ILCS 305/0.01

Adds reference to:

70 ILCS 510/9

from Ch. 85, par. 6209

Adds reference to:

70 ILCS 515/9

from Ch. 85, par. 6509

Deletes everything after the enacting clause. Amends the Quad Cities Regional Economic Development Authority Acts.

Provides that the total outstanding bonds and notes of the Quad Cities Regional Economic Development Authority may not exceed \$250 million (now, \$100 million).

House Amendment No. 1

Adds reference to:

20 ILCS 3501/825-13 new

Adds reference to:

70 ILCS 510/8

from Ch. 85, par. 6208

Adds reference to:

70 ILCS 510/9.1

from Ch. 85, par. 6209.1

Adds reference to:

70 ILCS 510/15

from Ch. 85, par. 6215

Adds reference to:

70 ILCS 515/8

from Ch. 85, par. 6508

Adds reference to:

70 ILCS 515/9.1

from Ch. 85, par. 6509.1

Adds reference to:

70 ILCS 515/14

from Ch. 85, par. 6514

Deletes everything after the enacting clause. Amends the Illinois Finance Authority Act, the Quad Cities Regional Economic Development Authority Act, approved September 22, 1987, and the Quad Cities Regional Economic Development Authority Act, certified December 30, 1987. Provides that all bond issuances of the Quad Cities Regional Economic Development Authority are subject to supervision, management, control, and approval of the Illinois Finance Authority. States that certain provisions concerning the State's moral obligation for the bonds of the regional development authority apply only with respect to bonds issued before the effective date of this amendatory Act. Provides that the total outstanding bonds and notes of the Quad Cities Regional Economic Development Authority may not exceed \$250 million (now, \$100 million). Provides that the regional development authority may not designate territory for certification as an enterprise zone on or after the effective date of this amendatory Act. Effective immediately.

House Amendment No. 2

Deletes reference to:

20 ILCS 3501/825-13 new

Deletes reference to:

70 ILCS 510/8

Deletes reference to:

70 ILCS 510/9.1

Deletes reference to:

70 ILCS 510/15

Deletes reference to:

70 ILCS 515/8

Deletes reference to:

70 ILCS 515/9.1

Deletes reference to:

SB 01977 (CONTINUED)

70 ILCS 515/14
Adds reference to:
5 ILCS 375/6.10
Adds reference to:
5 ILCS 375/10 from Ch. 127, par. 530
Adds reference to:
5 ILCS 375/13.1 from Ch. 127, par. 533.1
Adds reference to:
20 ILCS 605/605-812 new
Adds reference to:
20 ILCS 687/6-4
Adds reference to:
20 ILCS 689/20
Adds reference to:
20 ILCS 1705/18.4
Adds reference to:
20 ILCS 3948/50
Adds reference to:
20 ILCS 3958/10
Adds reference to:
20 ILCS 3958/15
Adds reference to:
20 ILCS 3958/20
Adds reference to:
20 ILCS 3958/25
Adds reference to:
25 ILCS 120/2 from Ch. 63, par. 902
Adds reference to:
30 ILCS 105/5.663 new
Adds reference to:
30 ILCS 105/6p-5
Adds reference to:
30 ILCS 105/6z-32
Adds reference to:
30 ILCS 105/6z-63
Adds reference to:
30 ILCS 105/6z-64
Adds reference to:
30 ILCS 105/8.3 from Ch. 127, par. 144.3
Adds reference to:
30 ILCS 105/8.16c
Adds reference to:
30 ILCS 105/8.43
Adds reference to:
30 ILCS 105/8.44
Adds reference to:
30 ILCS 105/8.45 new
Adds reference to:

SB 01977 (CONTINUED)

30 ILCS 105/8.55
Adds reference to:
30 ILCS 105/8g
Adds reference to:
30 ILCS 105/8h
Adds reference to:
30 ILCS 105/13.2 from Ch. 127, par. 149.2
Adds reference to:
30 ILCS 105/5.344 rep.
Adds reference to:
30 ILCS 122/10
Adds reference to:
30 ILCS 122/15
Adds reference to:
30 ILCS 122/20 new
Adds reference to:
30 ILCS 122/25 new
Adds reference to:
35 ILCS 5/901 from Ch. 120, par. 9-901
Adds reference to:
35 ILCS 130/2 from Ch. 120, par. 453.2
Adds reference to:
35 ILCS 505/8 from Ch. 120, par. 424
Adds reference to:
40 ILCS 5/2-124 from Ch. 108 1/2, par. 2-124
Adds reference to:
40 ILCS 5/14-108.6
Adds reference to:
40 ILCS 5/14-131 from Ch. 108 1/2, par. 14-131
Adds reference to:
40 ILCS 5/15-155 from Ch. 108 1/2, par. 15-155
Adds reference to:
40 ILCS 5/16-158 from Ch. 108 1/2, par. 16-158
Adds reference to:
40 ILCS 5/18-131 from Ch. 108 1/2, par. 18-131
Adds reference to:
40 ILCS 15/1.7 new
Adds reference to:
70 ILCS 3615/4.13 from Ch. 111 2/3, par. 704.13
Adds reference to:
105 ILCS 5/3-12 from Ch. 122, par. 3-12
Adds reference to:
230 ILCS 10/13 from Ch. 120, par. 2413
Adds reference to:
305 ILCS 5/5A-8 from Ch. 23, par. 5A-8
Adds reference to:
310 ILCS 65/8 from Ch. 67 1/2, par. 1258
Adds reference to:

SB 01977 (CONTINUED)

625 ILCS 5/18c-1603 from Ch. 95 1/2, par. 18c-1603
Adds reference to:
625 ILCS 5/18c-1604 from Ch. 95 1/2, par. 18c-1604
Adds reference to:
725 ILCS 185/33 from Ch. 38, par. 333
Adds reference to:
730 ILCS 5/3-14-6
Adds reference to:
730 ILCS 5/5-9-1.8
Adds reference to:
730 ILCS 110/15 from Ch. 38, par. 204-7
Adds reference to:
730 ILCS 110/15.1 from Ch. 38, par. 204-7.1
Adds reference to:
735 ILCS 5/2-1009A from Ch. 110, par. 2-1009A
Adds reference to:
820 ILCS 305/4 from Ch. 48, par. 138.4
Adds reference to:
30 ILCS 105/5.664 new
Adds reference to:
30 ILCS 605/7b
Adds reference to:
30 ILCS 605/7c new
Adds reference to:
40 ILCS 5/22-101 from Ch. 108 1/2, par. 22-101
Adds reference to:
40 ILCS 5/22-103 new
Adds reference to:
70 ILCS 3615/4.02 from Ch. 111 2/3, par. 704.02
Adds reference to:
70 ILCS 3615/4.02a new
Adds reference to:
70 ILCS 3615/4.02b new

Deletes everything after the enacting clause. Creates the FY2007 Budget Implementation (Finance) Act. Amends various Acts to make changes in State programs that are necessary to implement the Governor's FY2007 budget recommendation concerning finance. Effective immediately.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce & Economic Opportunity)

This legislation does not impose requirements on units of local government, therefore, does not create a State mandate under the State Mandates Act.

Home Rule Note (H-AM 2) (Dept. of Commerce & Econ Opportunity.)

Does not pre-empt home rule authority.

Balanced Budget Note (H-AM 2)(Gov's Office of Mgmt and Budget)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will allow the State to enact a balanced budget in fiscal year 2007.

Fiscal Note (H-AM 2)(Gov's Office of Mgmt and Budget)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will have a fiscal impact of at least \$240 million, which will be necessary to enact a balanced budget.

State Debt Impact Note (H-AM 2) (Com. on Gov. Forecasting & Accountability)

Would not affect the level of state indebtedness.

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 01977 (CONTINUED)

Pension Note (H-AM 2) (Com. on Gov. Forecasting & Accountability)

Pension Stabilization Fund: According to the Commission's FY 2007 Revenue Forecast, general funds revenues are expected to grow by 2.7% over estimated FY 2006 receipts. Therefore, no transfer of funds to the Pension Stabilization Fund would occur in FY 2007. Alternative Retirement Cancellation Payment: The State Employees' Retirement System would realize an actuarial gain when some members chose the ARCP payment, as accrued liability associated with that member, which would be eliminated, would be larger than the enhanced refund. The same ARCP payment option was offered to members of SERS in 2005, and 293 SERS members choose to participate. The system made ARCP payments of \$12.2 million and \$14.6 million in SERS liability was eliminated. Chicago Transit Authority Pension Funding: The Chicago Transit Authority Pension Fund's actuary has determined that the fund's assets will be exhausted by 2012 without significant increased contributions and changes to the funding structure and benefit levels.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State of Illinois.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Jun 06 06

S Public Act 94-0839

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02030 Sen. Kwame Raoul-Iris Y. Martinez-Jacqueline Y. Collins and Rickey R. Hendon
(Rep. Marlow H. Colvin-Kenneth Dunkin-Angelo Saviano-William Davis-Karen A. Yarbrough, Edward J. Acevedo, Sara Feigenholtz, Wyvetter H. Younge, Cynthia Soto, Joseph M. Lyons, Maria Antonia Berrios, Michelle Chavez, Daniel J. Burke, Susana A Mendoza, William Delgado, Robert Rita and Deborah L. Graham)

35 ILCS 105/1 from Ch. 120, par. 439.1

Amends the Use Tax Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

35 ILCS 105/1

Adds reference to:

50 ILCS 750/15.3

Adds reference to:

50 ILCS 751/45

Deletes everything. Amends the Emergency Telephone System Act. Deletes a provision prescribing the maximum monthly surcharge for 9-1-1 service that a municipality with a population over 500,000 may impose on billed subscribers of network connection provided by telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of the municipality imposing the surcharge. Amends the Wireless Emergency Telephone Safety Act. Increases to \$2.50 (now, \$1.25) the maximum monthly surcharge for 9-1-1 service that may be imposed per commercial mobile radio service connection or in-service telephone number by a unit of local government or emergency telephone system board that provided wireless 9-1-1 service and collected a wireless surcharge prior to July 1, 1998.

State Debt Impact Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

Senate Bill 2030, as amended by House Amendment 1, would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Pension Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

Senate Bill 2030, as amended by House Amendment 1, would not impact any public pension fund or retirement system in Illinois.

Judicial Note (H-AM 1) (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Balanced Budget Note (H-AM 1)(Gov. Office of Management & Budget)

Senate Bill 2030 (H-AM 1) will not have any fiscal impact on the State of Illinois's overall budget.

Housing Affordability Impact Note (H-AM 1) (Housing Development Authority)

No fiscal effect on a single-family residence.

House Amendment No. 3

Deletes reference to:

50 ILCS 750/15.3

Deletes reference to:

50 ILCS 751/45

Adds reference to:

35 ILCS 15/10

Adds reference to:

35 ILCS 15/40

Adds reference to:

35 ILCS 15/45

Adds reference to:

35 ILCS 15/90

Adds reference to:

305 ILCS 20/13

Adds reference to:

305 ILCS 20/17 new

SB 02030 (CONTINUED)

Deletes everything after the enacting clause. Amends the Film Production Services Tax Credit Act. Sets forth Illinois production spending requirements for accredited productions commencing on or after May 1, 2006. Provides that the enhanced credit of 10% of the Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment applies only to those productions approved after January 1, 2005 and commenced prior to May 1, 2006. Provides that, for an accredited production commencing on or after May 1, 2006, the credit is the amount equal to: (i) 20% of the Illinois production spending; plus (ii) 15% of the Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment. Defines "Illinois production spending" as the expenses incurred by the applicant for an accredited production. Defines "qualified production facility". Provides that, to qualify as an "Illinois labor expenditure", for an accredited production commencing on or after May 1, 2006, the expenditure is (i) limited to the first \$100,000 (now, \$20,000) of wages paid or incurred to each employee and (ii) not exclusive of the salary or wages paid to or incurred for the 2 highest paid employees of the production. Provides that the Department of Commerce and Economic Opportunity must make an annual report to the General Assembly concerning the participation of minority-owned businesses or female-owned businesses. Makes corresponding changes. Provides that the Act is repealed on January 1, 2008 (now January 1, 2007). Amends the Energy Assistance Act. Provides that the Supplemental Low-Income Energy Assistance Fund is authorized to receive moneys from voluntary donations. Requires the State Comptroller to direct and the State Treasurer to transfer \$5,201,055 into the Supplemental Low-Income Energy Assistance Fund immediately upon the effective date of this amendatory Act, but no later than 5 business days after that effective date. Provides that the amount transferred is equivalent to 50% of the average amount of Gas Revenue Tax paid per residential gas utility customer in FY2005 multiplied by the number of residential gas utility customers that received Low Income Home Energy Assistance during the FY2005 winter heating season. Effective immediately.

May 30 06 S Public Act 94-0817

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02137 Sen. Debbie DeFrancesco Halvorson-Susan Garrett-Dan Rutherford-James A. DeLeo-Cheryl Axley, Kirk W. Dillard, Todd Sieben, M. Maggie Crotty, Antonio Munoz, Ira I. Silverstein, Dan Cronin, Deanna Demuzio and William E. Peterson
 (Rep. Susana A Mendoza-Donald L. Moffitt)

New Act

20 ILCS 3930/7 from Ch. 38, par. 210-7

20 ILCS 3930/9 from Ch. 38, par. 210-9

Creates the Illinois Public Safety Agency Network Act. Provides for the creation of the Illinois Public Safety Agency Network (IPSAN) as a not-for-profit corporation to develop and operate comprehensive interoperable communications systems for law enforcement. Authorizes IPSAN to succeed the Illinois Criminal Justice Information Authority in the management, operation, and general oversight of law enforcement communications and information systems including existing ALERTS, ALECS, and PIMS networks. Makes corresponding changes to reflect this succession. Provides that IPSAN shall monitor existing criminal justice information systems, enter into contracts for computer software or designs developed for the Illinois criminal justice system, establish general policies concerning these information systems, and exercise any other powers that are reasonable and necessary to carry out the objectives and purposes of the Act. Provides for the appointment of an IPSAN Board of Directors. Sets forth powers and duties of the Board. Requires moneys of the Criminal Justice Information Systems Trust Fund to be deposited into the IPSAN operating fund. Establishes an Advisory Committee to assist the Board. Provides for a lease agreement program under which IPSAN may hire individuals employed by the Illinois Criminal Justice Information Authority or who are employed by the Office of the Governor in support of criminal justice information programs. Requires State executive branch agencies to consult with IPSAN in order to ensure the interoperability of existing and future public safety communication systems and criminal justice database programs or networks. Amends the Illinois Criminal Justice Information Act. Effective January 1, 2006.

Senate Committee Amendment No. 3

Adds reference to:

30 ILCS 605/7.6 new

Amends the Illinois Public Safety Agency Network Act. Eliminates a requirement that the Illinois Public Safety Agency Network (IPSAN) adopt and adhere to the State Records Act. Adds the Director of Corrections as a member of the IPSAN Board of Directors. Provides that the IPSAN Board of Directors shall designate the temporary chair of the Board (rather than the Governor). Deletes the enumerated powers of the IPSAN. Provides that the IPSAN Board of Directors' powers include: (i) entering into contracts and agreements to facilitate the use by the members of IPSAN of other criminal justice information systems and networks; and (ii) adopting, amending, and repealing, bylaws and policies (instead of just bylaws) not inconsistent with the powers granted to it or the articles of incorporation. In a provision transferring moneys from the Criminal Justice Information Systems Trust Fund to the IPSAN, provides that it is the State Treasurer who shall do so notwithstanding current obligations as determined by the Board in cooperation with the Illinois Criminal Justice Information Authority. Amends the State Property Control Act to provide that the Director of the Department of Central Management Services and the Illinois Criminal Justice Information Authority are authorized to transfer to the IPSAN from the Authority all contractual personnel, books, records, papers, documents, property, both real and personal, and pending business in any way pertaining to the operations of the ALERTS, ALECS, and PIMS systems managed by the Authority including, but not limited to, radio frequencies, licenses, software, hardware, IP addresses, proprietary information, code, and other required information and elements necessary for the successful operation, future development, and transition of the systems. Makes other changes.

Senate Floor Amendment No. 5

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended with the following changes. Expands the IPSAN Board to include the Director of the Illinois Emergency Management Agency as a non-voting, ex officio member. Provides for a lease agreement program under which IPSAN may hire individuals employed by the Illinois Criminal Justice Information Authority or who are employed by the Office of the Governor in support of criminal justice information programs. Changes the effective date to July 1, 2007.

House Amendment No. 1

Requires the Illinois Public Safety Agency Network (IPSAN), the IPSAN Board of Directors, and IPSAN Advisory Committee to adopt and adhere to the provisions of the State Records Act.

House Amendment No. 2

Changes the effective date of the Act to July 1, 2006 (now, July 1, 2007).

House Amendment No. 3

Deletes a provision making the powers and duties of the Illinois Criminal Justice Information Authority subject to the provisions of the Illinois Public Safety Agency Network Act. Provides that the Authority has the power to exercise the rights, powers, and duties vested in the Authority by the Illinois Public Safety Agency Network Act.

Fiscal Note (Ill. Criminal Justice Information Authority)

SB 02137 (CONTINUED)

The fiscal impact on the Illinois Criminal Justice Information Authority by Senate Bill 2137 will be a potential loss of up to 14 employees, the assumption an additional \$120,000 of overhead expenses to other Authority funds, the transfer of the remaining fund balance of the Illinois Criminal Information Systems Trust Fund, the transfer of ownership of 2 vehicles, 31 base stations, ownership of frequencies, services & computers, various software licenses and other computer equipment, all of which were acquired for an original price of \$4.5 million. The Authority will absorb an undetermined number of employees and may possibly have to lay off some of them. In addition, the Authority will not receive \$1.8 million of revenue from billing the users of the ALERTS/ALECS/PIMS systems and will not have sufficient funds for transitional operation expenses.

Jun 22 06 S Public Act 94-0896

SB 02156 Sen. John J. Cullerton and William R. Haine
(Rep. Harry Osterman)

720 ILCS 5/12-2.6

Amends the Criminal Code of 1961. In the statute concerning the offense of use of a dangerous place for the commission of a controlled substance or cannabis offense, changes a reference from "premise" to "premises" in the definition of "place". Effective immediately.

May 08 06 S Public Act 94-0743

SB 02159 Sen. Martin A. Sandoval
(Rep. Lou Lang-Jack D. Franks, John E. Bradley, Daniel V. Beiser, Charles E. Jefferson, Esther Golar and Kurt M. Granberg)

30 ILCS 500/20-155 new

Amends the Illinois Procurement Code. Provides that pre-award, post-award, administration, and close-out documents relating to a contract must be public after that contract is awarded. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Procurement Code. Requires that after awarding a contract, and subject to the Freedom of Information Act, a procuring agency shall make available for public inspection and copying all pre-award, post-award, administration, and close-out documents relating to the contract. Effective immediately.

Jun 30 06 S Public Act 94-0978

SB 02162 Sen. Don Harmon-William R. Haine and Deanna Demuzio
(Rep. Angelo Saviano, Jack D. Franks and Linda Chapa LaVia)

750 ILCS 45/6.5 new

Amends the Illinois Parentage Act of 1984. Prohibits the custody of or visitation with a child by a person found to be the father of the child under the Act, if the father has been convicted or pled guilty to one of the listed offenses and that offense was related to his conduct in the fathering of the child. Effective immediately.

Senate Floor Amendment No. 1

Provides that the mother or the guardian, other than the father of a child who has been convicted of or pled guilty to one of the listed offenses, or, in the case where the mother is a minor, the guardian of the mother of the child must give consent for custody or visitation to be granted a person found to be the father of the child who has been convicted or pled guilty to one of the listed offenses.

Jun 26 06 S Public Act 94-0928

SB 02165 Sen. Ira I. Silverstein-Carol Ronen-Kwame Raoul, Jeffrey M. Schoenberg and Deanna Demuzio
(Rep. Sara Feigenholtz-Lou Lang-Sidney H. Mathias and Jack D. Franks)

765 ILCS 605/18.4 from Ch. 30, par. 318.4

Amends the Condominium Property Act. Provides that the Board of Managers may not make a rule or regulation that shall prohibit any reasonable accommodation for religious practices, including the attachment of religiously-mandated objects to the front door area of a condominium unit.

Apr 12 06 S Public Act 94-0729

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02170

Sen. Susan Garrett-Adeline Jay Geo-Karis-Jacqueline Y. Collins
(Rep. Elaine Nekritz-Mike Boland-Jack McGuire, Lisa M. Dugan, Susana A Mendoza, Linda Chapa LaVia, Eddie Washington and Careen M Gordon)

210 ILCS 45/2-217 new

210 ILCS 50/3.85

210 ILCS 85/6.22 new

815 ILCS 505/2XX new

Amends the Nursing Home Care Act and the Hospital Licensing Act; provides that a nursing home or hospital that orders transportation of a resident or patient by ambulance must maintain a written record showing the name of the person who placed the order for that transportation and the medical reason for that transportation. Amends the Emergency Medical Services (EMS) Systems Act; authorizes the Department of Public Health to suspend, for a period not exceeding 30 days, the license of any vehicle service provider, after an opportunity for a hearing, when findings show that the provider has directly or indirectly given, offered, or promised anything of value to a facility licensed under the Nursing Home Care Act or the Hospital Licensing Act for the purpose of influencing the facility to use the provider's services for the transportation of residents or patients of the facility. Amends the Consumer Fraud and Deceptive Business Practices Act. Sets forth statements that must be included in an agreement for emergency or non-emergency transportation of a patient by an ambulance service provider, and requires that such an agreement contain certain other information and be printed in type of a certain size. Requires that the agreement be signed by the patient or the patient's authorized representative and by the ambulance service provider's authorized agent. Requires that the patient or the patient's authorized representative be provided with an executed copy of the agreement. Provides that it is an unlawful practice under the Act for an ambulance service provider to enter into an agreement with a patient, or a person acting on the patient's behalf, that does not comply with these requirements. Provides that if the court finds that an ambulance service provider has violated any of the requirements concerning an agreement with a patient, the court may order that the ambulance service provider pay to the patient an amount equal to 3 times the maximum amount stated in the agreement that will be due from the patient or, if no such maximum amount is stated in the agreement, 3 times the amount claimed due by the ambulance service provider, including any interest, collection costs, and attorney's fees claimed by the provider.

Senate Floor Amendment No. 1

Adds reference to:

210 ILCS 45/2-218 new

Adds reference to:

210 ILCS 85/6.23 new

Replaces everything after the enacting clause with provisions similar to those of Senate Bill 2170, but with changes that include the following: (1) requires that a nursing home or hospital maintain a record of orders for transportation by ambulance for at least 3 years; (2) further amends the Nursing Home Care Act and the Hospital Licensing Act to provide that if the Department of Public Health determines (i) that a nursing home or hospital offered or provided, solicited, or received any remuneration to any vehicle service provider licensed under the Emergency Medical Services (EMS) Systems Act for the purpose of providing referrals for transportation by the vehicle service provider or (ii) that an employee or contractual agent of a nursing home or hospital falsified any documentation of medical necessity for non-emergency ambulance transportation, the Department may impose against the nursing home or hospital (or against the employer of the contractual agent in the case of an individual who became a contractual agent by virtue of his or her employment by that employer) a civil penalty in an amount not exceeding \$10,000, and provides for a referral of such a determination to the United States Department of Health and Human Services Office of Inspector General; (3) provides for a similar penalty against a vehicle service provider under the Emergency Medical Services (EMS) Systems Act that offers or provides, solicits, or receives any remuneration for the purpose of influencing a nursing home or hospital to provide referrals to the vehicle service provider for the transportation of residents of the nursing home or patients of the hospital (instead of providing for suspension of a vehicle service provider's license); and (4) under the Consumer Fraud and Deceptive Business Practices Act, requires an ambulance service provider to provide persons with a written notice, and a verbal explanation of the notice, containing certain provisions concerning non-emergency transportation by ambulance that originates at a hospital or other health care facility (instead of providing that an agreement for emergency or non-emergency transportation by ambulance must contain certain provisions).

House Amendment No. 2

Deletes reference to:

210 ILCS 45/2-218 new

Deletes reference to:

210 ILCS 50/3.85

Deletes reference to:

210 ILCS 85/6.23 new

Deletes reference to:

SB 02170 (CONTINUED)

815 ILCS 505/2XX new

Replaces everything after the enacting clause. Amends the Nursing Home Care Act and the Hospital Licensing Act. Provides that if a long-term care facility orders transportation of a resident of the facility by ambulance, the facility must maintain a written record that shows (i) the name of the person who placed the order for that transportation and (ii) the medical reason for that transportation; provides that the facility must maintain the record for a period of at least 3 years after the date of the order for transportation by ambulance. Provides that if a hospital arranges for transportation of a patient of the hospital by ambulance, the hospital must provide the ambulance service provider, prior to transport, a Physician Certification Statement formatted and completed in compliance with federal regulations or an equivalent form developed by the hospital. Provides that if a hospital is unable to provide a Physician Certification Statement or equivalent form, then the hospital shall provide to the patient a written notice and a verbal explanation of the written notice that meets certain requirements; provides that the notice is not required if a delay in transport can be expected to negatively affect the patient outcome. Effective January 31, 2007.

Jun 01 06 S Sent to the Governor

SB 02191 Sen. Jacqueline Y. Collins, Antonio Munoz-Kwame Raoul, Deanna Demuzio-Iris Y. Martinez, James F. Clayborne, Jr., Mattie Hunter and James T. Meeks
(Rep. Karen A. Yarbrough-Monique D. Davis-Calvin L. Giles-Marlow H. Colvin-Arthur L. Turner, Cynthia Soto, John A. Fritchey and David E. Miller)

30 ILCS 105/5.663 new

105 ILCS 5/27-12.5 new

Amends the School Code and the State Finance Act. Requires the State Board of Education to develop and adopt curricula, materials, and guidelines for school boards to use in implementing a program of instruction on financial literacy within courses currently offered in public high schools in this State. Lists subject areas that the program must include. Creates the Financial Literacy Fund as a special fund in the State treasury. Provides that all money in the fund shall be used by the State Board to award grants to school districts for certain financial literacy purposes. Allows a school board to establish a special fund, with moneys to be used for certain financial literacy purposes. Requires the State Board to incorporate the elements of the program into Illinois learning standards. Effective immediately.

Senate Floor Amendment No. 2

Deletes reference to:

105 ILCS 5/27-12.5 new

Adds reference to:

105 ILCS 5/27-12.1

from Ch. 122, par. 27-12.1

Deletes everything after the enacting clause. Amends the School Code and the State Finance Act. In a Section requiring consumer education to be taught, provides that the instruction must include an understanding of the basic concepts of financial literacy, including installment purchasing, budgeting, savings and investing, banking, understanding simple contracts, State and federal income taxes, personal insurance policies, and the comparison of prices (now, the instruction must include installment purchasing, budgeting, and the comparison of prices). Creates the Financial Literacy Fund as a special fund in the State treasury. Provides that all money in the fund shall be used by the State Board of Education to award grants to school districts for certain financial literacy purposes. Allows a school board to establish a special fund, with moneys to be used for certain financial literacy purposes. Urges the State Board, upon the next comprehensive review of the Illinois Learning Standards, to include the basic principles of personal insurance policies and understanding simple contracts. Effective immediately.

Jun 26 06 S Public Act 94-0929

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02195 Sen. Carol Ronen-Terry Link-Christine Radogno, Dale A. Richter-Jacqueline Y. Collins, Mattie Hunter-Iris Y. Martinez, Martin A. Sandoval and Ira I. Silverstein
(Rep. Harry Osterman-Julie Hamos-Elaine Nekritz-Mike Boland-Sidney H. Mathias, Paul D. Froehlich, Elizabeth Coulson, Patricia R. Bellock and Karen May)

305 ILCS 5/3-1 from Ch. 23, par. 3-1

Amends the Illinois Public Aid Code. In provisions concerning eligibility for financial aid under the Aid to the Aged, Blind or Disabled (AABD) program for individuals who have been found ineligible for Supplemental Security Income (SSI) due to expiration of the period of eligibility for refugees and asylees under federal law, deletes a provision that such financial aid is available until July 1, 2006. Provides that in enacting this amendatory Act, the General Assembly specifically intends that AABD financial aid for persons who have been found ineligible for SSI due to expiration of the period of eligibility for refugees and asylees under federal law shall not be available only until July 1, 2006 but shall remain available on and after July 1, 2006 until the General Assembly expressly provides otherwise. Effective immediately.

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Provides that financial aid for certain refugees and asylees under the AABD program shall be available until July 1, 2009 (instead of eliminating the July 1, 2006 termination date and providing, as the engrossed bill does, that such aid shall remain available on and after July 1, 2006 until the General Assembly expressly provides otherwise). Effective immediately.

Jun 26 06 S Public Act 94-0918

SB 02197 Sen. William R. Haine and Mike Jacobs
(Rep. Robin Kelly-Deborah L. Graham and Charles E. Jefferson)

705 ILCS 405/3-33 from Ch. 37, par. 803-33

Amends the Juvenile Court Act of 1987. Provides that a comprehensive community based youth service organization shall certify that a minor has been referred by the regional superintendent or Office of Chronic Truant Adjudication to that agency for truancy intervention services. Provides that if the comprehensive community based youth service agency is incapable or unwilling to provide the certification, then this requirement of a certification is not applicable. Provides that the comprehensive community based youth service agency shall submit reports to the regional superintendent or the Office of Chronic Truant Adjudication within 30, 120, and 180 days of the minor's referral, or at any other time requested by a regional superintendent or the Office of Chronic Truant Adjudication, which reports each shall certify the date of the minor's referral and the extent of the minor's progress and participation in truancy intervention services provided by the comprehensive community based youth service agency. Provides that if after referral by the regional superintendent or the Office of Chronic Truant Adjudication, the minor declines or refuses to fully participate in truancy intervention services provided by the comprehensive community based youth service agency, then the agency shall immediately certify such facts to the regional superintendent or the Office of Chronic Truant Adjudication.

Senate Committee Amendment No. 2

Adds reference to:

55 ILCS 5/5-1078.2 new

Adds reference to:

65 ILCS 5/11-5-9 new

Adds reference to:

705 ILCS 405/3-33.5 new

Deletes the title and everything after the enacting clause. Amends the Counties Code and the Illinois Municipal Code. Provides that counties and municipalities may adopt ordinances to regulate truants within their jurisdiction. These ordinances may include fines for violators and may provide for enforcement by citation. Amends the Juvenile Court Act of 1987. Provides that outside of cities of over 500,000 inhabitants, a minor who is reported by the regional superintendent of schools as a chronic truant may be subject to a petition for adjudication and adjudged a chronic truant, provided that prior to the filing of the petition, the office of the regional superintendent of schools or a community truancy review board certifies that the local school has provided appropriate truancy intervention services to the truant minor and his or her family. Provides that if after review by the regional office of education or community truancy review board it is determined the local school did not provide the appropriate interventions, then the minor shall be referred to a community based youth service agency for truancy intervention services. Provides that if the community based youth service agency is incapable or unwilling to provide intervention services, then this requirement for services is not applicable. Provides that nothing in these provisions shall be construed to create a private cause of action or right of recovery against a regional office of education, its superintendent, or its staff with respect to truancy intervention services where the determination to provide the services is made in good faith. Effective immediately.

House Amendment No. 1

Adds reference to:

105 ILCS 5/34-4.5

Adds reference to:

705 ILCS 405/3-1 from Ch. 37, par. 803-1

Adds reference to:

705 ILCS 405/3-15 from Ch. 37, par. 803-15

Adds reference to:

705 ILCS 405/3-33 rep.

Provides that counties and municipalities in regulating truants may impose a graduated fine schedule for repeat violations, which may not exceed \$100, or community service, or both, for violators 10 years of age or older. Provides that if the violator is under 10 years of age, the parent or custodian of the violator is subject to the fine or community service, or both. Provides that a home rule unit's regulation of truants must be consistent with the amendatory Act. Provides that the amendatory changes to the Juvenile Court Act provisions relating to truant minors in need of supervision are applicable throughout the State. Eliminates provision that if the comprehensive community based youth service agency is unwilling to provide intervention services, then the requirement for such services is not applicable.

SB 02199 Sen. M. Maggie Crotty-Mattie Hunter
(Rep. William Davis-Kenneth Dunkin-Deborah L. Graham and William Delgado)

20 ILCS 301/10-40 rep.

20 ILCS 301/10-45 rep.

20 ILCS 301/10-50 rep.

Amends the The Alcoholism and Other Drug Abuse and Dependency Act by repealing the provisions of the Act authorizing the Interagency Alcoholism and Other Drug Dependency Board. Effective July 1, 2007.

House Amendment No. 2

Adds reference to:

20 ILCS 301/10-5

Adds reference to:

20 ILCS 301/10-10

Adds reference to:

20 ILCS 301/10-15

Adds reference to:

20 ILCS 301/15-10

Deletes everything after the enacting clause. Amends the The Alcoholism and Other Drug Abuse and Dependency Act. Provides that the Illinois Advisory Council on Alcoholism and Other Drug Dependency shall meet quarterly or at the call of the Department of Human Services. Expands the duties and powers of the Council to include: (i) advising the Illinois Department of Human Services in the planning, development, and coordination of programs among all agencies and departments of State government; (ii) promoting and encouraging participation by the private sector in programs to prevent alcoholism and other drug abuse and dependency; (iii) encouraging the implementation of programs to prevent alcoholism and other drug abuse and dependency in the public and private schools and educational institutions; (iv) gathering information, conducting hearings, and making recommendations to the Secretary concerning additions, deletions, or rescheduling of substances under the Illinois Controlled Substances Act; and (v) reporting annually to the General Assembly regarding the activities and recommendations made by the Council. Expands the membership of the Council to include the Director, Secretary, or other chief administrative officer, ex officio, or his or her designee, of each of the following: the Department on Aging, the Department of Children and Family Services, the Department of Corrections, the Department of Juvenile Justice, the Department of Healthcare and Family Services, the Department of Revenue, the Department of Public Health, the Department of Financial and Professional Regulation, the Department of State Police, the Administrative Office of the Illinois Courts, the Criminal Justice Information Authority, and the Department of Transportation. Also adds to the Council, ex officio, each of the following, or his or her designee: the Secretary of State, the State Superintendent of Education, and the Chairman of the Board of Higher Education. Requires residential treatment for alcoholism and other drug dependency, sub-acute inpatient treatment, clinically managed or medically monitored detoxification, and residential extended care (formerly halfway house) and recovery home services to be licensed by the Department. Repeals the provisions of the Act authorizing the Interagency Alcoholism and Other Drug Dependency Board. Effective July 1, 2007.

Jul 14 06 S Public Act 94-1033

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02202 Sen. Miguel del Valle-Kwame Raoul-Carol Ronen-Jeffrey M. Schoenberg-Kimberly A. Lightford, John J. Millner, Antonio Munoz, Dan Cronin, Jacqueline Y. Collins, Deanna Demuzio and James F. Clayborne, Jr.
 (Rep. Cynthia Soto-Roger L. Eddy-Karen A. Yarbrough-Marlow H. Colvin, Harry Osterman, Monique D. Davis, William Delgado, Edward J. Acevedo and Esther Golar)

105 ILCS 5/21-2.1 from Ch. 122, par. 21-2.1

Amends the Teacher Certification Article of the School Code. With respect to an early childhood certificate, provides that the student teaching portion of the practical experience requirement may involve supervised work with children under 6 years of age or with children in kindergarten through grade 3 or both. Provides that persons who have been employed for at least one year in their current early childhood program in a public or private school or a community-based entity, including paraprofessionals enrolled in teacher preparation programs, may be paid and receive credit while student teaching with their current employer, provided that their student teaching experience meets the requirements of their teacher preparation program.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill, with the following changes. Provides that the student teaching portion of the practical experience may be satisfied through placement in any of grades pre-kindergarten (which consists of children from 3 years through 5 years of age) through 3, provided that the student is under the active supervision of a cooperating teacher who is certified and qualified in early childhood education (instead of allowing the student teaching portion of the practical experience to involve supervised work with children under 6 years of age or with children in kindergarten through grade 3). Provides that paraprofessionals with at least one year of experience in a school or community-based early childhood setting who are enrolled in early-childhood teacher preparation programs may be paid and receive credit while student teaching with their current employer, provided that their student teaching experience meets the requirements of their early-childhood teacher preparation program (instead of allowing persons who have been employed for at least one year in their current early childhood program in a school or community-based entity, including paraprofessionals enrolled in teacher preparation programs, to be paid and receive credit while student teaching with their current employer, provided that their student teaching experience meets the requirements of their teacher preparation program).

Jul 14 06 S Public Act 94-1034

SB 02204 Sen. Deanna Demuzio-Mattie Hunter
 (Rep. Paul D. Froehlich-Lou Lang-Charles E. Jefferson-Mike Boland-Sidney H. Mathias, William Davis, Wyvetter H. Younge, Arthur L. Turner, Mary E. Flowers, Robin Kelly, Kenneth Dunkin, Kurt M. Granberg, John E. Bradley and Annazette Collins)

405 ILCS 90/35

Amends the Health Care Workplace Violence Prevention Act. Increases the membership of the pilot project task force from 6 to 10, adding one representative of the American Federation of State, County and Municipal Employees; one representative of the Illinois Federation of Public Employees; and 2 representatives of the Department of Human Services, one representing the Division of Mental Health and the other representing the Division of Developmental Disabilities. Effective immediately.

Senate Committee Amendment No. 1

Adds a licensed registered professional nurse involved in direct patient care, appointed by the Governor, to the pilot project task force. Provides that one of the 3 representatives from the Department of Human Services must represent the Department's Division of Rehabilitation Services.

House Amendment No. 1

Provides that the health care workplace violence prevention task force shall include one representative of an organization representing State, county, and municipal employees (instead of a representative of the American Federation of State, County and Municipal Employees) and one representative of an organization representing public employees (instead of a representative of the Illinois Federation of Public Employees). Provides that both of those task force members shall be appointed by the Governor. Provides that the Department of Human Services shall provide all necessary administrative support to the task force.

Jul 07 06 S Public Act 94-1012

SB 02223 Sen. Iris Y. Martinez
 (Rep. Maria Antonia Berrios)

20 ILCS 1705/50a rep.

Amends the Mental Health and Developmental Disabilities Administrative Act by repealing a requirement that the Department of Human Services submit an annual comprehensive status report on compliance with the federal Omnibus Budget Reconciliation Act of 1987 to the Governor and General Assembly. Effective immediately.

Jun 16 06 S Public Act 94-0868

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02225 Sen. Edward D. Maloney-Kwame Raoul-Debbie DeFrancesco Halvorson-Arthur J. Wilhelmi, Deanna Demuzio-M. Maggie Crotty, Mattie Hunter, Mike Jacobs, Terry Link, Kimberly A. Lightford, Carol Ronen, James F. Clayborne, Jr., John M. Sullivan, William R. Haine, Ira I. Silverstein, Jacqueline Y. Collins, Susan Garrett, Jeffrey M. Schoenberg and Donne E. Trotter
 (Rep. Kevin A. McCarthy-David E. Miller-Karen May-Lou Lang-Kathleen A. Ryg, Monique D. Davis and Michelle Chavez)

110 ILCS 205/9.07

from Ch. 144, par. 189.07

Amends the Board of Higher Education Act. Provides that if a public university admits a student who needs remedial coursework, then the university must require that the student complete the remedial coursework.

Senate Floor Amendment No. 1

Adds reference to:

110 ILCS 947/35

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Provides that if a State university determines that a student needs remedial coursework (instead of if a State university admits a student who needs remedial coursework), then the university must require that the student complete the remedial coursework. Amends the Higher Education Student Assistance Act. Provides that a student is not ineligible for Monetary Award Program consideration if (1) a State university that the student was enrolled at required that the student complete remedial coursework and (2) by subtracting the total number of semester credit hours, not to exceed 30 semester credit hours, of required remedial coursework that the student successfully completed and received award payments for, the student has received less than the equivalent of 135 semester credit hours of award payments.

Fiscal Note (Illinois Student Assistance Commission)

The Illinois Student Assistance Commission (ISAC) estimates the fiscal impact of this legislation to be as much as \$8 million to \$10 million for FY07, based upon ISAC's most recent complete year MAP data (from FY05). This estimate represents the amount by which the FY07 MAP appropriation would need to be increased to fund these students' MAP awards without adversely affecting MAP award availability for other eligible students. If the provisions of SB 2225 become law but no additional MAP funding is appropriated for FY 07, then ISAC either will need to further reduce the value of MAP awards for all recipients or cut off MAP grant processing an estimated two weeks earlier than currently projected. The latter option would eliminate FY07 MAP award eligibility for an estimated 12,000 later-applying students (most of whom attend Illinois community colleges or public and private urban higher education institutions).

Fiscal Note (Illinois Board of Higher Education)

The first provision of SB 2225 requires that under Illinois Board of Higher Education remedial education guidelines, State universities require students who are determined to be in need of remedial coursework to complete that coursework. The Board of Higher Education has surveyed all twelve public university campuses. Four campuses report that they do not offer remedial coursework. Seven of the eight campuses that admit students in need of remediation report that they are currently in compliance with the coursework provision of SB 2225. As a result, SB 2225 would not result in the expenditure of additional state funds at those campuses. The eighth campus, while it offers remedial coursework, is small and oriented toward upper-division undergraduate and graduate education, hence the impact of SB 2225 on the expenditure of state funds there is expected to be negligible. The second provision of SB 2225 would permit MAP-eligible students who are required to complete remedial coursework by the State university in which they are enrolled to be eligible for 30 additional hours of MAP eligibility beyond the current 135 credit hour maximum. In a separate fiscal note, The Illinois Student Assistance Commission has estimated the fiscal impact of this provision to be as much as \$8 million to \$10 million for FY07. The estimated cost could be covered by either an addition to the fiscal year 2007 MAP appropriation, which would result in additional expenditures of State funds, by a concomitant reduction in all MAP awards, or by an earlier cut off in MAP award processing.

House Amendment No. 1

Provides that if a State university determines that a student needs remedial coursework, then the university must require that the student complete the remedial coursework before pursuing his or her chosen course of study (instead of just requiring that the student complete the remedial coursework).

Fiscal Note (H-AM 2)(Illinois Student Assistance Commission)

SB 2225 (H-AM 2) provides that there is no fiscal impact upon the MAP program for FY07. There will be an indeterminate fiscal impact in FY08 and thereafter, determined by how many MAP-eligible students complete these remedial courses and claim MAP awards.

State Mandates Fiscal Note (H-AM 1) (Board of Higher Education)

Would not create or expand a state mandate affecting local government expenditures.

State Mandates Fiscal Note (H-AM 2) (Board of Higher Education)

Would not create or expand a state mandate affecting local government expenditures.

SB 02225 (CONTINUED)

House Amendment No. 3

Deletes reference to:

110 ILCS 205/9.07

Deletes reference to:

110 ILCS 947/35

Adds reference to:

110 ILCS 947/39 new

Deletes everything after the enacting clause. Amends the Higher Education Student Assistance Act. Requires the Illinois Student Assistance Commission to receive and consider applications for monetary grant assistance to benefit those students who will not receive Monetary Award Program grants. Among other conditions, provides that an applicant is eligible for a grant if he or she is enrolled at least half-time as a sophomore, junior, or senior and is from a family that had an adjusted gross income of less than \$200,000 for the 2005 taxable year. Provides that grants are applicable to tuition and mandatory fees, with the grant amount not to exceed \$500 per year or \$250 per semester. Provides that grants may be awarded only for the Fall 2006 and Spring 2007 semesters, on a first-come, first-served basis. Requires the Commission to determine if sufficient funds are available from the sale of student loan assets, transaction processing, or refinancing to continue Monetary Award Program Plus beyond the Spring 2007 semester and to prepare a report for the Governor and General Assembly indicating whether funding is available and how it can be used to support the program. Effective July 1, 2006.

Jun 02 06 S Sent to the Governor

SB 02230 Sen. Antonio Munoz
(Rep. Lou Lang-Paul D. Froehlich)

625 ILCS 5/6-103.1
625 ILCS 5/6-107.4 new
625 ILCS 5/6-110 from Ch. 95 1/2, par. 6-110
625 ILCS 5/6-204 from Ch. 95 1/2, par. 6-204
625 ILCS 5/6-206 from Ch. 95 1/2, par. 6-206
625 ILCS 5/6-206.1 from Ch. 95 1/2, par. 6-206.1
625 ILCS 5/6-301.2 from Ch. 95 1/2, par. 6-301.2
625 ILCS 5/6-507 from Ch. 95 1/2, par. 6-507
625 ILCS 5/6-514 from Ch. 95 1/2, par. 6-514
625 ILCS 5/11-208.3 from Ch. 95 1/2, par. 11-208.3
625 ILCS 5/11-1301.3 from Ch. 95 1/2, par. 11-1301.3

Amends the Illinois Vehicle Code. Provides that the Secretary of State may issue a temporary driver's license to a qualified applicant under the age of 18, permitting the operation of a motor vehicle when the Secretary of State is unable to produce a driver's license due to an equipment or computer program failure or lack of necessary equipment. Provides for expiration of the temporary license, which may last not longer than 30 days. Deletes the requirement that a driver's license bear the licensee's social security number. Shortens from 10 to 5 days the period in which the clerk of the court must forward to the Secretary of State a report of a conviction which might result in the suspension of the defendant's driver's license or permit. Provides that the Secretary may suspend the driver's license or permit of a person convicted of unauthorized use of a parking place reserved for a person with disabilities. Provides that a court may not issue a judicial driving permit (JDP) for the operation of a commercial vehicle to a person whose driving privileges (rather than whose CDL driving privileges) have been suspended under any provision of the Code in accordance with federal regulations. Provides that it is unlawful to possess, use, or allow to be used, any materials, hardware, or software specifically designed or primarily used for the reading of encrypted language from the bar code or magnetic strip of an official Illinois driver's license (rather than of an Illinois Identification Card or Disabled Person Identification Card). Provides that a person shall be disqualified from commercial driving privileges if he or she operates a non-commercial vehicle with an alcohol concentration in excess of the legal limit while holding a commercial driver's license (CDL). Makes other changes in CDL provisions in accordance with the Uniform Commercial Driver's Licensing Act (UCDLA). Increases from \$250 to \$350 the maximum amount of the fine and late penalty for any one violation of vehicular standing, parking, and compliance regulations enacted by ordinance. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Provides that the maximum fine and late penalty for any one violation of a parking, standing, and compliance ordinance remains at \$250, unless the violation is parking an unauthorized vehicle in a space reserved for a vehicle with registration plates or decals issued to a person with disabilities or a disabled veteran.

Fiscal Note (Office of the Secretary of State)

Will have little to no fiscal impact on the Secretary of State's Office.

Jun 26 06 S Public Act 94-0930

SB 02233 Sen. Terry Link
(Rep. Eddie Washington)

625 ILCS 5/5-301 from Ch. 95 1/2, par. 5-301

815 ILCS 308/76 new

Amends the Illinois Vehicle Code. Provides that all automotive repairers and rebuilders shall provide proof that they comply with all the requirements of the Automotive Collision Repair Act. Amends the Automotive Collision Repair Act. Provides that, if a person is engaged in activities associated with automotive collision repair as covered in the Act, that person shall comply with the provisions of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

815 ILCS 308/76 new

Deletes the Automotive Collision Repair Act provision.

Senate Floor Amendment No. 2

Adds reference to:

625 ILCS 5/4-203 from Ch. 95 1/2, par. 4-203

Amends the Illinois Vehicle Code with regard to the notice that must be provided in certain private parking lots where vehicles abandoned or left unattended without permission are subject to removal by a towing service. Provides that, in a municipality with a population of less than 250,000, as an alternative to prominently placing notice at each driveway access or curb cut allowing vehicular access to the property within 5 feet from the public right-of-way line, the notice for a parking lot contained within property used solely for a 2-family, 3-family, or 4-family residence may be prominently placed at the perimeter of the parking lot, in a position where the notice is visible to the occupants of vehicles entering the lot.

May 19 06 S Public Act 94-0784

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02235 Sen. Iris Y. Martinez-Jacqueline Y. Collins-Donne E. Trotter-Kimberly A. Lightford-Kwame Raoul and Mattie Hunter
 (Rep. Esther Golar-Monique D. Davis-Kenneth Dunkin, Robin Kelly, William Davis, Wyvetter H. Younge, Arthur L. Turner,
 Mary E. Flowers, Deborah L. Graham and Annazette Collins)

110 ILCS 48/1

110 ILCS 48/5

110 ILCS 48/10

110 ILCS 48/15

110 ILCS 48/20

110 ILCS 48/25

110 ILCS 48/30

110 ILCS 48/35

Amends the Grow Our Own Teacher Education Act. Changes the name of the Act to the Grow Your Own Teacher Act. Defines "developmental classes" and makes changes to the definition of "parent and community leaders" and "schools serving a substantial percentage of low-income students". Replaces references to "student" and "participant" with "candidate" throughout the Act. Provides that the State Board shall establish criteria that address the inclusion in the planned program of strategies derived from community organizing that will help candidates develop tools for working with parents and other community members. Provides that partial loan forgiveness for shortened periods of service in hard-to-staff schools or hard-to-staff teaching positions. Provides that school districts may use those portions of the grant money designated for the expenses of supporting the work experiences of candidates and providing mentors for graduates or other applicable public funds to pay participants in programs under the initiative for student teaching required by an accredited teacher preparation program. Provides that one member of the consortium may expend funds to cover the salary of a site-based cohort coordinator and that grant funds may be expended to pay directly for required developmental classes for candidates beginning a program. Makes other changes. Effective January 1, 2007.

Senate Committee Amendment No. 1

Replaces the January 1, 2007 effective date with an immediate effective date.

House Amendment No. 1

Makes an exception for existing cohorts with respect to the requirement that the first programs under the Grow Your Own Teacher Education Initiative be awarded grants in such a way as to allow candidates to begin their work at the beginning of the 2006-2007 school year.

Jun 30 06 S Public Act 94-0979

SB 02238 Sen. Carol Ronen-Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter
 (Rep. Julie Hamos-Thomas Holbrook-Patricia R. Bellock-Terry R. Parke-Elizabeth Coulson)

210 ILCS 5/6.5

210 ILCS 85/10.7

Amends the Ambulatory Surgical Treatment Center Act and the Hospital Licensing Act. Provides that a registered nurse licensed under the Nursing and Advanced Practice Nursing Act and qualified by training and experience in operating room nursing shall be present in the operating room and function as the circulating nurse during all invasive or operative procedures. Provides that such a circulating nurse is responsible for coordinating all nursing care, patient safety needs, and the needs of the surgical team in the operating room.

Jun 23 06 S Public Act 94-0915

SB 02241 Sen. Kirk W. Dillard-George P. Shadid-Terry Link and Bill Brady
 (Rep. Patrick J Verschoore-Sidney H. Mathias-Linda Chapa LaVia-Jack McGuire-Thomas Holbrook, Michael K. Smith, Bob Biggins and Kathleen A. Ryg)

35 ILCS 200/31-15

Amends the Real Estate Transfer Tax Law in the Property Tax Code. Requires the Department of Revenue to establish a system to allow a recorder or registrar of titles of a county to purchase the revenue stamps electronically from the Department and to deliver the electronically purchased stamps to the recorder or registrar of titles.

May 19 06 S Public Act 94-0785

SB 02243 Sen. John J. Cullerton-William R. Haine-John J. Millner
(Rep. Jay C. Hoffman-Jack McGuire-Patrick J. Verschoore-William B. Black)

610 ILCS 80/2 from Ch. 114, par. 98

Amends the Railroad Police Act. Makes a technical change in a provision regarding the police powers of a railroad police force.

Senate Floor Amendment No. 2

Adds reference to:

50 ILCS 705/2

Adds reference to:

720 ILCS 5/2-13 from Ch. 38, par. 2-13

Adds reference to:

725 ILCS 5/107-4 from Ch. 38, par. 107-4

Deletes everything after the enacting clause. Amends the Illinois Police Training Act, the Railroad Police Act, the Criminal Code of 1961, and the Code of Criminal Procedure of 1963. Provides that the members of a police force appointed by any registered rail carrier have and may exercise the powers conferred upon any peace officer employed by a law enforcement agency of this State. Provides that any registered rail carrier that appoints and maintains a police force shall comply with the following requirements: (1) establish an internal policy that includes procedures to ensure objective oversight in addressing allegations of abuse of authority or other misconduct on the part of its police officers; (2) adopt appropriate policies and guidelines for handling employee investigations; (3) file copies of those policies and guidelines with the Illinois Law Enforcement Training Standards Board; and (4) make copies of those policies and guidelines available for public inspection.

Jun 09 06 S Public Act 94-0846

SB 02252 Sen. Mattie Hunter
(Rep. William Davis-Kenneth Dunkin)

15 ILCS 305/17 new

Amends the Secretary of State Act. Provides that the Secretary of State is authorized to create a fund outside the State treasury, to be known as the Secretary of State Antique Vehicle Show Fund. Provides that the Fund shall be created and maintained in a manner approved by the Auditor General. Provides that the Fund shall be maintained by the Secretary or his or her designee. Provides that moneys received from entry fees paid by contestants in the Secretary of State Antique Vehicle Show may be deposited into the Fund. Provides that moneys deposited into the Fund shall be used by the Secretary of State Antique Vehicle Show Committee to promote and produce the annual Secretary of State Antique Vehicle Show. Effective immediately.

Fiscal Note (Office of the Secretary of State)

No fiscal impact on the Secretary of State's Office.

May 26 06 S Public Act 94-0811

SB 02254 Sen. Martin A. Sandoval-Mattie Hunter-Iris Y. Martinez
(Rep. James D. Brosnahan-Patricia R. Bellock)

20 ILCS 1705/15f new

Amends the Mental Health and Developmental Disabilities Administrative Act. Requires each individual in a community-based residential program for individuals with developmental disabilities who exhibits behavioral challenges to have an individualized behavioral support plan. Sets forth requirements for the plan. Prohibits certain types of interventions. Sets forth provisions concerning the application of other statutes. Effective immediately.

Senate Committee Amendment No. 1

Provides that the individualized behavioral support plans must be created for certain individuals who participate in Home and Community Based Services Waiver for Persons with Developmental Disabilities (instead of for individuals in a community-based residential program). Defines "Home and Community Based Services Waiver for Persons with Developmental Disabilities".

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill, but changes references of "Home and Community Based Services Waiver for Persons with Developmental Disabilities" to "Home and Community Based Services Program for Persons with Developmental Disabilities". Defines the Program as a service program that is funded through a waiver authorized under the federal Social Security Act and that is administered by the Department of Human Services' Division of Developmental Disabilities. Effective immediately.

May 26 06 S Public Act 94-0812

SB 02255 Sen. Martin A. Sandoval
(Rep. Daniel J. Burke)

70 ILCS 2605/4.7 from Ch. 42, par. 323.7

Amends the Metropolitan Water Reclamation District Act. In a Section relating to the examination of applicants for classified civil service positions, provides that applicants for the position of assistant director of personnel are not subject to examination. Effective immediately.

Jun 30 06 S Governor Vetoed

SB 02271 Sen. John M. Sullivan
(Rep. Dave Winters-Kenneth Dunkin-David E. Miller and Kurt M. Granberg)

520 ILCS 5/2.11 from Ch. 61, par. 2.11

Amends the Wildlife Code. In a Section concerning permits for wild turkey hunting, provides that no charge permits shall be issued to bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns at least 40 acres of land in a county in Illinois who wish to hunt on the corporation's, company's, or partnership's land only. Sets forth that one permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership. Provides that "bona fide equity shareholder", "bona fide equity member", and "bona fide equity partner" shall have the same meaning as provided in a statute regarding deer hunting permits.

Senate Committee Amendment No. 1

Makes a technical change.

May 10 06 S Public Act 94-0753

SB 02272 Sen. John J. Cullerton
(Rep. Dave Winters and Kurt M. Granberg)

55 ILCS 5/5-1101 from Ch. 34, par. 5-1101

Amends the Counties Code. Provides that a county in which a drug court has been created may charge each defendant on a judgment of guilty or a grant of supervision a mandatory fee of up to \$5 to be used for the operation and administration of a drug court. Creates rules for the administration of the Section. Effective immediately.

House Amendment No. 1

Adds reference to:

705 ILCS 105/27.3d new

Provides that each circuit court clerk shall create a Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs associated with disbursement of funds to entities of State and local government. Provides that the clerk shall deposit 5% of the fees for the operation of a drug court into the Fund.

Jun 30 06 S Public Act 94-0980

SB 02277 Sen. John J. Cullerton-Richard J. Winkel, Jr.-Kwame Raoul
(Rep. Naomi D. Jakobsson)

230 ILCS 5/28.1

Amends the Illinois Horse Racing Act of 1975. Provides for redistribution of certain moneys paid to museums and aquariums located in park districts of over 500,000 population. Effective immediately.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Horse Racing Act of 1975. Provides that certain moneys paid to museums and aquariums located in park districts of over 500,000 population shall be paid to the Chicago Park District to be distributed to museums, aquariums, and zoos in amounts determined by the Chicago Park District. Effective immediately.

Senate Floor Amendment No. 3

Replaces everything after the enacting clause. Amends the Illinois Horse Racing Act of 1975. Provides that, beginning on the effective date, payments to the Urbana Park District shall be made from the General Revenue Fund at the funding level determined by amounts paid to the Champaign Park District for museum purposes under the Act in calendar year 2005. Provides that, beginning July 1, 2006, the payment to museums and aquariums located in park districts of over 500,000 population shall be paid to museums, aquariums, and zoos in amounts determined by Museums in the Park, an association of museums, aquariums, and zoos located on Chicago Park District property. Effective immediately.

Judicial Note (H-AM 1) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the State.

Pension Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

SB 2277 (H-AM 1) will not impact any public pension fund or retirement system in Illinois.

Correctional Note (H-AM 1)(Dept of Corrections)

There is no corrections population impact on the Department.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Balanced Budget Note (H-AM 1)(Gov. Office of Management & Budget)

This legislation changes some of the grant recipients for public museum grants, but does not affect the funding level.

State Debt Impact Note (H-AM 1) (Com. on Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore would not affect the level of State indebtedness.

Home Rule Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 2277 (H-AM 1) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 2277 (H-AM 1) does not create a State mandate under the State Mandates Act.

House Amendment No. 2

Provides that the payments to the Urbana Park District shall be in lieu of payments to the Champaign Park District for museum purposes.

Balanced Budget Note (H-AM 3)(Gov's Office of Management & Budget)

This legislation changes some of the grant recipients for public museum grants, but does not affect the funding level.

Pension Note (H-AM 2) (Com. on Gov. Forecasting & Accountability)

Will not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (H-AM 2) (Com. on Gov. Forecasting & Accountability)

Would not affect the level of State indebtedness.

Fiscal Note (H-AM 1) (Dept. of Natural Resources)

This amendment does not have any fiscal impact to the Department of Natural Resources.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State.

Home Rule Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

This legislation does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce and Economic Opportunity)

SB 02277 (CONTINUED)

This legislation does not create a State mandate under the State Mandates Act.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single family-residence.

Fiscal Note (H-AM 2) (Dept. of Natural Resources)

This amendment does not have any fiscal impact to the Department of Natural Resources.

May 26 06 S Public Act 94-0813

SB 02283

Sen. Arthur J. Wilhelmi

(Rep. Sara Feigenholtz-Jack D. Franks-John E. Bradley, Robin Kelly, Lisa M. Dugan, Brandon W. Phelps, Sandra M. Pihos, Elizabeth Coulson, JoAnn D. Osmond, Suzanne Bassi, Robert F. Flider and Gary Hannig)

15 ILCS 335/14D new

625 ILCS 5/6-117.1 new

Amends the Illinois Vehicle Code and the Illinois Identification Card Act. Provides that, when information is obtained from a driver's license or identification card to identify or prove the age of the holder of the license or identification card, or in the course of a commercial transaction, that information may be used only for purposes of identification of the individual or for completing the commercial transaction in which the information was obtained. Provides that the information may not be used for any other purpose and may not be provided to a third party. Provides that a person whose driver's license or identification card information was used in violation of the provision is entitled to recover actual damages, but not less than liquidated damages in the amount of \$250 for each violation, plus attorney's fees and costs. Creates exceptions.

Senate Committee Amendment No. 2

Provides that completion of the commercial transaction in which the information was obtained includes all subsequent payment, processing, collection, and other related actions.

Fiscal Note (Office of the Secretary of State)

No fiscal impact on the Secretary of State's Office.

Jun 20 06 S Public Act 94-0892

SB 02286

Sen. Dale A. Righter

(Rep. Chapin Rose-Thomas Holbrook-Robert F. Flider-William B. Black)

225 ILCS 110/8.5

Amends the Illinois Speech-Language Pathology and Audiology Practice Act. Provides that a person who, in addition to meeting certain other requirements, has received, prior to June 1, 2003, an associate degree from a speech-language pathology assistant program approved by the Illinois Community College Board is qualified to be licensed as a speech-language pathology assistant. Effective immediately.

Jun 16 06 S Public Act 94-0869

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02290 Sen. Iris Y. Martinez-Jacqueline Y. Collins, James T. Meeks, William E. Peterson-Mattie Hunter, Mike Jacobs-Carol Ronen and Kwame Raoul
(Rep. Julie Hamos-Harry Osterman-Deborah L. Graham and Esther Golar)

New Act

Creates the Comprehensive Housing Planning Act. Provides that during the period from the effective date of the Act through June 30, 2016, the State of Illinois shall prepare and be guided by an annual comprehensive housing plan that is consistent with the affirmative fair housing provisions of the Illinois Human Rights Act and specifically addresses certain underserved populations, including households earning below 50% of the area median income, low-income senior citizens, and low-income persons with a disability. Sets forth items that must be included in the plan, including (i) the identification of all funding sources for which the State has administrative control that are available for housing construction, rehabilitation, preservation, operating or rental subsidies, and supportive services and (ii) goals for the number and types of housing units to be constructed, preserved, or rehabilitated each year for the specified underserved populations. Provides for an Executive Committee and an Interagency Subcommittee. Requires the Illinois Housing Development Authority, in consultation with the Interagency Subcommittee, to annually issue a joint Notice of Funding Availability to notify potential applicants of funding for specific programs expected to be available through State agencies to meet housing needs identified in the Annual Comprehensive Housing Plan. Effective immediately.

Senate Floor Amendment No. 2

Adds reference to:

30 ILCS 345/7.5 new

Deletes everything and re-inserts similar provisions with these additions: Provides that the Executive Committee shall involve representatives of advocates for the underserved populations named in the Comprehensive Housing Planning Act. Makes various changes regarding the issuance of a joint Notice of Funding Availability. Makes other changes. Amends the Illinois Private Activity Bond Allocation Act by requiring the issuer of bonds utilizing bond volume cap from the Local Government Pool and the State Agency Pool to file an annual report with the Governor and the General Assembly. Effective immediately.

House Amendment No. 1

In provisions concerning an annual report to be filed by the issuer of bonds utilizing bond volume cap from the Local Government Pool and the State Agency Pool, provides that the issuer shall file a report if the issuer utilized the bond volume cap for any housing purpose.

Jun 30 06 S Public Act 94-0965

SB 02297 Sen. Carol Ronen-Deanna Demuzio and Ira I. Silverstein-M. Maggie Crotty
(Rep. Angelo Saviano-Elizabeth Coulson-William B. Black)

5 ILCS 80/4.17

5 ILCS 80/4.27 new

Amends the Regulatory Sunset Act. Changes the repeal date of the Clinical Psychologist Licensing Act from January 1, 2007 to January 1, 2017. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

225 ILCS 15/2 from Ch. 111, par. 5352

Adds reference to:

225 ILCS 15/3 from Ch. 111, par. 5353

Adds reference to:

225 ILCS 15/7 from Ch. 111, par. 5357

Adds reference to:

225 ILCS 15/13 from Ch. 111, par. 5363

Adds reference to:

225 ILCS 15/15 from Ch. 111, par. 5365

Adds reference to:

225 ILCS 15/15.4

Adds reference to:

225 ILCS 15/16 from Ch. 111, par. 5366

Adds reference to:

225 ILCS 15/16.1

Adds reference to:

225 ILCS 15/16.5

Adds reference to:

225 ILCS 15/17 from Ch. 111, par. 5367

Adds reference to:

225 ILCS 15/20 from Ch. 111, par. 5370

Adds reference to:

225 ILCS 15/21.4

Adds reference to:

225 ILCS 15/21.6

Adds reference to:

225 ILCS 15/25 from Ch. 111, par. 5375

Adds reference to:

225 ILCS 15/27 from Ch. 111, par. 5377

Adds reference to:

225 ILCS 15/27.2

SB 02297 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced with the following changes:
Amends the Clinical Psychologist Licensing Act. Replaces "Department of Professional Regulation" with "Department of Financial and Professional Regulation" and "Director of the Department of Professional Regulation" with "Secretary of Financial and Professional Regulation" throughout the Act. Requires licensees to prominently display the license at the licensee's principal office, place of business, or place of employment and to exhibit the license whenever requested by any representative of the Department. Provides that a licensee may renew the license during the 90-day period (now, month) immediately preceding the expiration date of the license. Provides that the Department may impose fines not to exceed \$10,000 (now, \$5,000) for each violation of the Act. Provides that the entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice of the profession constitutes grounds for disciplinary action. Provides that failing to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to an act or conduct similar to an act or conduct that would constitute grounds for disciplinary action and failing to report to the Department any adverse final action taken against a licensee or applicant by another licensing jurisdiction or any peer review body, health care institution, professional society or association related to the profession, governmental agency, law enforcement agency, or court for an act or conduct similar to an act or conduct that would constitute grounds for disciplinary action constitutes grounds for disciplinary action. Provides that any unlicensed person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice clinical psychology shall pay a civil penalty to the Department in an amount not to exceed \$10,000 (now, \$5,000) for each offense. Effective immediately.

Jun 16 06 S Public Act 94-0870

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02302 Sen. William R. Haine-William E. Peterson-Arthur J. Wilhelmi-Don Harmon
 (Rep. Daniel J. Burke-Donald L. Moffitt-Sidney H. Mathias-Jack McGuire-Patrick J. Verschoore, Paul D. Froehlich, Jack D. Franks and Linda Chapa LaVia)

New Act

Creates the Cigarette Fire Safety Standard Act. Provides that, beginning January 1, 2008, no cigarettes may be sold in Illinois unless the manufacturer certifies that the cigarettes have been certified as low ignition strength in accordance with standards established by the American Society of Testing and Materials and no more than 25% of the cigarettes it manufactures exhibit full-length burns when tested. Provides that the Office of the State Fire Marshal shall adopt rules for the implementation of the Act, which shall include provisions to allow wholesalers and retailers to transition their existing inventories. Effective January 1, 2008.

Senate Floor Amendment No. 1

Adds reference to:

30 ILCS 105/5.663 new

Replaces everything after the enacting clause. Creates the Cigarette Fire Safety Standard Act. Provides a certification process for certifying that the burn time of cigarettes complies with the requirements of the Act. Provides for a testing method for cigarettes. Prohibits the sale or offer for sale of cigarettes in this State unless the cigarettes have been tested and meet the performance standards of the Act and written certification has been filed by the manufacturer with the Office of the State Fire Marshal and with the Office of the Attorney General. Provides for the marking of cigarette packaging to indicate compliance with the Act. Provides for civil penalties. Creates the Cigarette Fire Safety Standard Act Fund as a special fund and amends the State Finance Act accordingly; provides that the Fund shall consist of moneys recovered by the Attorney General from the assessment of civil penalties and that the Fund shall be used, subject to appropriation, for fire safety and prevention programs. Effective January 1, 2008.

Senate Floor Amendment No. 2

Exempts a manufacturer from the definition of "retail dealer". Provides that the State Fire Marshal may authorize the use of an alternative test that another state has enacted as long as the test method and performance standard are the same (instead of at least as stringent) in reducing cigarette ignition propensity as those contained in the Act. Requires a wholesale dealer, agent, and retail dealer to permit the State Fire Marshal, the Department of Revenue, and the Office of the Attorney General to inspect markings of cigarette packaging. Adds manufacturers to the list of persons who are subject to civil penalties for violation of the Act. Makes other changes.

House Amendment No. 1

Provides that a wholesale dealer or retail dealer is not prohibited from selling his or her inventory of cigarettes existing on the effective date of the Act, if the wholesale dealer or retail dealer can establish (instead of establishes) that tax stamps were affixed to the cigarettes before the effective date of the Act and the inventory was purchased before the effective date of the Act in comparable quantity to the amount of inventory purchased during the same period of the prior year. Provides that an alternative test method enacted in another state may be used if the State Fire Marshal determines that the standards are the same (instead of the same in reducing cigarette ignition propensity) as those contained in the Act and that the officials responsible for implementing those requirements have approved the proposed alternative test (instead of have made an independent analysis and approved the proposed alternative test) as meeting their state's law or regulation. Makes other changes.

May 19 06 S Public Act 94-0775

SB 02303 Sen. J. Bradley Burzynski and Antonio Munoz
 (Rep. Richard P. Myers-Jim Sacia-Robert W. Pritchard-Jim Watson-Suzanne Bassi, Robin Kelly, Milton Patterson, Robert F. Flider and Patricia R. Bellock)

745 ILCS 49/67 new

Amends the Good Samaritan Act. Provides that any person who is certified in first aid or has completed a course of instruction in first aid, who in good faith provides emergency care without fee to any person shall not, as a result of his or her acts or omissions, except willful and wanton misconduct on the part of the person, in providing the care, be liable to a person to whom such care is provided for civil damages. Effective July 1, 2006.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Provides that the exemption for first aid providers shall apply to a person who is currently certified in first aid by the American Red Cross or the American Heart Association (instead of is certified in first aid or has completed a course of instruction in first aid). Removes the requirement that the first aid be provided as emergency care and extends the immunity to any first aid performed by a first aid provider without fee, except for willful and wanton misconduct. Provides that the immunity does not apply to any health care facility or to any practitioner providing services in a hospital or health care facility. Effective July 1, 2006.

Jun 02 06 S Public Act 94-0825

SB 02308

Sen. Terry Link-M. Maggie Crotty

(Rep. Kathleen A. Ryg-Jack D. Franks-Mike Boland-Sara Feigenholtz-Jack McGuire, Eddie Washington, Cynthia Soto, Elaine Nekritz, Edward J. Acevedo, William Delgado, Karen May, Julie Hamos, Michelle Chavez, Maria Antonia Berrios, Daniel J. Burke, Joseph M. Lyons, Rosemary Mulligan, William B. Black, Elizabeth Coulson, Terry R. Parke, Sidney H. Mathias, John E. Bradley, Milton Patterson, Lisa M. Dugan and Careen M Gordon)

305 ILCS 5/5-2.07 new

Amends the Illinois Public Aid Code. Provides that no later than July 1, 2007, subject to federal approval of a State Medicaid Plan amendment, which shall be sought by the Department of Healthcare and Family Services or its successor agency, persons who fail to qualify for basic maintenance under the Aid to the Aged, Blind or Disabled (AABD) program on the basis of need because of excess income or assets, or both, may establish prospective eligibility for that basic maintenance by paying their monthly Medicaid spend-down amount to the Department of Healthcare and Family Services or by having a third party pay that amount to the Department.

Jun 09 06 S Public Act 94-0847

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02310 Sen. John J. Cullerton, Antonio Munoz, Ira I. Silverstein, Gary Forby, William R. Haine, Iris Y. Martinez, Louis S. Viverito-Jacqueline Y. Collins-Don Harmon, James A. DeLeo, Martin A. Sandoval, Kimberly A. Lightford, M. Maggie Crotty, Miguel del Valle, Pamela J. Althoff, Cheryl Axley, Dale E. Risinger and Dale A. Righter-Mattie Hunter

(Rep. Marlow H. Colvin-Charles E. Jefferson-Elizabeth Coulson-Larry McKeon-Karen A. Yarbrough, Donald L. Moffitt, John D'Amico, Sara Feigenholtz, Patrick J. Verschoore, Jack McGuire, Esther Golar, Thomas Holbrook, Eddie Washington, Constance A. Howard, Calvin L. Giles, Monique D. Davis, Mary E. Flowers, Patricia Reid Lindner, Michael K. Smith, Deborah L. Graham, Robin Kelly, John E. Bradley, Robert Rita, Cynthia Soto, Elaine Nekritz, Jack D. Franks, Daniel V. Beiser, Lisa M. Dugan, Naomi D. Jakobsson, Brandon W. Phelps, Robert F. Flider, Careen M. Gordon, Ruth Munson and Rosemary Mulligan)

815 ILCS 505/2MM

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person who uses a consumer credit report in connection with the approval of credit based on the application for an extension of credit, and who has received notification of a police report filed with a consumer credit reporting agency that the applicant has been a victim of aggravated identity theft, may not lend money or extend credit without taking reasonable steps to verify the consumer's identity and confirm that the application for an extension of credit is not the result of financial identity theft or aggravated identity theft. Adds that a consumer may place a security freeze on his or her credit report by making a request directly to the consumer credit reporting agency through a secure electronic mail connection, if an electronic mail connection is provided by the consumer credit reporting agency. Provides that a consumer credit reporting agency shall not charge a fee for placing, removing, or removing for a specific party or period of time a security freeze on a credit report, if the consumer submits to the credit reporting agency a valid copy of a police report, investigative report, or complaint that the consumer has filed with a law enforcement agency about the unlawful use of his or her personal information by another person. Allows the credit reporting agency to charge a fee of not more than \$10 to a consumer for each security freeze or temporary lift of a security freeze for a specific party and a fee of not more than \$8 for removal of a security freeze or temporary lift of a security freeze for a period of time. Provides that the consumer credit reporting agency shall send a written confirmation of the security freeze to the consumer within 5 (instead of 10) business days of placing the freeze on the account. Requires the Director of the Division of Financial Institutions in the Department of Financial and Professional Regulation to promulgate rules necessary to allow the use of electronic media to receive and process a request from a consumer to temporarily lift a security freeze as quickly as possible, with the goal of processing a request within 15 minutes of that request. Defines "consumer", "consumer credit reporting agency", "credit report", "Director", and "security freeze". Changes references from "credit reporting agency" to "consumer credit reporting agency". Effective January 1, 2007.

Senate Committee Amendment No. 2

Replaces everything after the enacting clause. Amends the Consumer Fraud and Deceptive Business Practices Act. Makes a technical change to the Section concerning the verification of accuracy of credit reporting information used to extend credit and security freezes on credit reports for identity theft victims.

Senate Floor Amendment No. 3

Replaces everything after the enacting clause. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a consumer (instead of a consumer who has been the victim of identity theft) may request that a security freeze be placed on his or her credit report by sending a request in writing by certified mail to a consumer reporting agency at an address designated by the consumer reporting agency to receive such requests. Authorizes a consumer credit reporting agency to charge a fee for placing a security freeze on a consumer's credit report of no more than \$10 for each freeze, removal, or temporary lift of the freeze, except that a consumer reporting agency may not charge a fee to (i) a consumer 65 years of age or over for placement and removal of a freeze and (ii) may not charge a victim of identity theft who has complied with the listed requirements. Sets out what information must be provided for a contact method by a consumer reporting agency. Provides that the listed consumer credit reporting requirements do not apply to any person using the information in connection with the underwriting of insurance. Defines "credit report", "consumer reporting agency", and "security freeze". Makes other changes.

Fiscal Note (Office of the Attorney General)

Fiscal impact: No Impact.

May 24 06 S Public Act 94-0799

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02312 Sen. Edward D. Maloney-Jacqueline Y. Collins-John M. Sullivan, Deanna Demuzio and Susan Garrett
 (Rep. Kevin Joyce and Naomi D. Jakobsson)

110 ILCS 205/2 from Ch. 144, par. 182

110 ILCS 205/3 from Ch. 144, par. 183

110 ILCS 205/4 from Ch. 144, par. 184

Amends the Board of Higher Education Act. Adds an additional student member to the Board of Higher Education, which person must be a non-traditional undergraduate student who is at least 24 years old and represents the views of non-traditional students, such as a person who is employed or is a parent.

Jun 22 06 S Public Act 94-0905

SB 02320 Sen. Donne E. Trotter
 (Rep. Constance A. Howard-Deborah L. Graham-Monique D. Davis)

730 ILCS 5/3-14-1 from Ch. 38, par. 1003-14-1

Amends the Unified Code of Corrections. Provides that an identification card issued by the Department of Corrections to a committed person on parole, mandatory supervised release, final discharge, or pardon shall be valid for a period of time not to exceed 60 (rather than 30) calendar days from the date the card is issued. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

730 ILCS 5/3-14-1

Adds reference to:

730 ILCS 5/3-6-3

from Ch. 38, par. 1003-6-3

Adds reference to:

730 ILCS 5/3-6-8

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Eliminates the provision that the additional good conduct credit awarded to a prisoner who passes the high school level Test of General Educational Development (GED) while the prisoner is incarcerated applies only if the prisoner receives a GED certificate. Provides that the good conduct credit shall be available only to those prisoners who have not previously earned a high school diploma or a GED. Provides that if, after an award of the GED good conduct credit has been made and the Department of Corrections determines that the prisoner was not eligible, then the award shall be revoked. Effective immediately.

May 08 06 S Public Act 94-0744

SB 02326 Sen. Susan Garrett-Christine Radogno-Iris Y. Martinez and Mattie Hunter
(Rep. Kathleen A. Ryg-Naomi D. Jakobsson)

210 ILCS 28/45 new

210 ILCS 28/85 rep.

210 ILCS 45/3-103 from Ch. 111 1/2, par. 4153-103

Amends the Abuse Prevention Review Team Act and the Nursing Home Care Act. Provides that to the extent permitted by federal law, the Department of Public Health shall use moneys from fines paid by facilities licensed under the Nursing Home Care Act for violating requirements for certification under Titles XVIII and XIX of the Social Security Act to implement the Abuse Prevention Review Team Act. Provides that the Department shall use moneys deposited in the Long Term Care Monitor/Receiver Fund to pay the costs of implementing the Abuse Prevention Review Team Act that cannot be met by the use of federal civil monetary penalties.

Repeals the provision that repeals the Abuse Prevention Review Team Act on July 1, 2006. Effective immediately.

Senate Floor Amendment No. 2

Adds reference to:

5 ILCS 120/2 from Ch. 102, par. 42

Adds reference to:

5 ILCS 140/7 from Ch. 116, par. 207

Adds reference to:

210 ILCS 28/5

Adds reference to:

210 ILCS 28/15

Adds reference to:

210 ILCS 28/20

Adds reference to:

210 ILCS 28/25

Adds reference to:

210 ILCS 28/40

Adds reference to:

210 ILCS 28/50 new

Adds reference to:

225 ILCS 46/70

Replaces everything after the enacting clause. Reinserts the provisions of Senate Bill 2326, amending the Abuse Prevention Review Team Act and the Nursing Home Care Act. Amends the Open Meetings Act and the Freedom of Information Act to change references to the Abuse Prevention Review Team Act. Further amends the Abuse Prevention Review Team Act. Provides for the appointment of 2 review teams (instead of a team in each administrative region of the State outside Cook County and at least one team in Cook County); allows for the appointment of more review teams; and provides for organization of an Executive Council when at least 4 review teams are formed. Makes changes in the standards concerning nursing home residents whose deaths must be reviewed. Provides that review teams must review cases on a quarterly basis (instead of as soon as practicable and not later than 90 days following the completion of the Department of Public Health's investigation). Provides that until an Executive Council is formed, the Department of Public Health shall assist the review team in performing the duties otherwise assigned to the Executive Council. Requires the Department of Public Health to include a report of the review teams' activities in its annual long-term care report to the General Assembly. Makes other changes. Amends the Health Care Worker Background Check Act; in provisions concerning the Centers for Medicare and Medicaid Services grant, provides that "selected health care employer" includes a long-term care hospital or hospital with swing beds. Effective immediately.

Jun 26 06 S Public Act 94-0931

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02328

Sen. Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter
(Rep. William Delgado, Michelle Chavez, Mary E. Flowers, Cynthia Soto, Edward J. Acevedo, Maria Antonia Berrios and William Davis)

305 ILCS 5/5-2

from Ch. 23, par. 5-2

Amends the Illinois Public Aid Code. Provides Medicaid eligibility for persons who meet income and asset guidelines, have a pending application for asylum with the federal Department of Homeland Security or are receiving services through a federally funded torture treatment center, and can demonstrate that they are seeking treatment for trauma resulting from torture in their countries of origin. Provides for Medicaid coverage of such persons for up to 2 years. Effective immediately.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Provides for Medicaid eligibility for persons who reside in Illinois who are not eligible for Medicaid under other provisions and who meet certain income guidelines and (i) have a pending application for asylum with the federal Department of Homeland Security and are represented by counsel, or (ii) are receiving services through a federally funded torture treatment center, or (iii) can demonstrate that they are seeking treatment for trauma resulting from torture in their countries of origin or previous countries of residence. Provides for Medicaid coverage for up to 24 continuous months from the initial eligibility date so long as an individual continues to satisfy the criteria of these provisions. Effective immediately.

House Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Removes language granting Medicaid eligibility for persons who meet income and asset guidelines and can demonstrate, in accordance with rules adopted by the Department of Healthcare and Family Services, that they are seeking treatment for trauma resulting from torture in their countries of origin or previous countries of residence. Provides that an applicant for asylum may be represented by an advocate accredited by the federal Department of Homeland Security and employed by a not-for-profit organization (as an alternative to being represented by counsel). Provides that, if an individual has an appeal pending regarding an application for asylum before the Department of Homeland Security, the Medicaid eligibility may be extended until a final decision is rendered on the appeal. Authorizes the Department of Healthcare and Family Services to adopt rules to implement these provisions. Effective immediately.

House Amendment No. 2

Adds reference to:

305 ILCS 5/12-4.103a new

Further amends the Illinois Public Aid Code. Provides for an Assets for Independence Program to allow eligible low-income Illinois citizens, subject to the availability of State and federal funds and authorization from the Department of Human Services, to open and maintain an Individual Development Account (IDA) at a federally insured financial institution, in accordance with federal law. Authorizes the use of moneys in an IDA for post-secondary education expenses, acquisition of a principal residence by a first-time home buyer, or financing of business capitalization expenses. Provides that moneys in an IDA that are used for these qualified purchases shall be matched dollar-for-dollar from the Assets for Independence Fund, created as a fund to be held by the Secretary of Human Services. Provides that not more than \$2,000 of moneys from the Assets for Independence Fund shall be provided to any one individual; provides that not more than \$4,000 shall be provided to any one household. Requires the Department to establish eligibility for the program in accordance with federal law.

House Amendment No. 3

Adds reference to:

20 ILCS 1305/10-50 new

Adds reference to:

30 ILCS 105/5.663 new

Amends the Department of Human Services Act and the State Finance Act. Establishes the Illinois Steps for Attaining Higher Education through Academic Development ("Illinois Steps AHEAD") program in the Department of Human Services to provide educational services and post-secondary educational scholarships for low-income middle and high school students. Provides that the Department shall implement the program only if federal funding is made available for that purpose. Creates the Gaining Early Awareness and Readiness for Undergraduate Programs Fund as a special fund in the State treasury, and provides that all moneys received pursuant to the federal Gaining Early Awareness and Readiness for Undergraduate Programs shall be deposited into the Fund. Provides that moneys in the Fund shall be appropriated to the Department of Human Services and expended for the purposes and activities specified by the federal agency making the grant.

Jun 01 06 S Sent to the Governor

SB 02334 Sen. David Luechtefeld
(Rep. Dan Reitz-Daniel V. Beiser, Jim Sacia and Patrick J Verschoore)

520 ILCS 5/2.33 from Ch. 61, par. 2.33

Amends the Wildlife Code. Provides that it is unlawful to intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, without first obtaining permission from the owner or tenant. Provides that it is unlawful to intentionally or wantonly allow a dog to hunt within 300 yards of an inhabited dwelling, without first obtaining permission from the owner or tenant.

May 12 06 S Public Act 94-0764

SB 02336 Sen. Miguel del Valle, Antonio Munoz-Jacqueline Y. Collins-Kimberly A. Lightford, John J. Millner-Don Harmon, Iris Y. Martinez and James T. Meeks
(Rep. Susana A Mendoza-Jack McGuire-Maria Antonia Berrios, Esther Golar, Linda Chapa LaVia, Charles E. Jefferson, Cynthia Soto, William Delgado, Edward J. Acevedo, Michelle Chavez, Daniel J. Burke, Karen A. Yarbrough, Harry Osterman, Terry R. Parke and Michael Tryon)

105 ILCS 125/2.5

105 ILCS 125/4 from Ch. 122, par. 712.4

105 ILCS 126/15

Amends the School Breakfast and Lunch Program Act and the Childhood Hunger Relief Act. Makes changes concerning the breakfast incentive program, the report the State Board of Education provides to the Governor and the General Assembly concerning school breakfast and lunch programs, surveys to identify parental interest in school breakfast programs and the barriers to establishing school breakfast programs, the requirement that a school district establish a school breakfast program for certain schools, and opting out of the school breakfast program requirement. Effective immediately.

House Amendment No. 1

With respect to schools that do not participate in the National School Lunch Program, provides that the board of education shall implement and operate a school breakfast program in each school building in which at least 40% or more of the students are classified as low-income according to the Fall Housing Data from the previous year (instead of in each school building in which at least 40% or more of the students are eligible for free or reduced-price lunches based upon Fall Housing Data from the previous year).

Jun 30 06 S Public Act 94-0981

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02339 Sen. Miguel del Valle, Antonio Munoz-Martin A. Sandoval and Gary Forby
 (Rep. William Delgado-Larry McKeon-Cynthia Soto-Eddie Washington-Esther Golar, Charles E. Jefferson, Patrick J Verschoore, Jack McGuire, Susana A Mendoza and Daniel J. Burke)

820 ILCS 105/12 from Ch. 48, par. 1012

Amends provisions of the Minimum Wage Law establishing an employer's liability for punitive damages in the case of underpayment of wages by stating that "the employee may recover such punitive damages in any proceeding or action allowed by any provision of this subsection, including, but not limited to, a civil action filed directly by the employee, and, subject to the limitations period set forth herein, the employee's remedy of recovering punitive damages in any proceeding or action allowed by any provision of this subsection shall be available in and applicable to all claims and causes of action under this subsection, whenever arising, including, without limitation, presently existing claims and actions for which a final and no-longer appealable order has not yet been entered". Effective immediately.

Senate Committee Amendment No. 2

Adds reference to:

820 ILCS 105/3 from Ch. 48, par. 1003

Adds reference to:

820 ILCS 105/7 from Ch. 48, par. 1007

Adds reference to:

820 ILCS 115/2 from Ch. 48, par. 39m-2

Adds reference to:

820 ILCS 115/14 from Ch. 48, par. 39m-14

Deletes everything after the enacting clause. Amends the Minimum Wage Law. Provides that the Director of Labor may require by subpoena the attendance and testimony of witnesses and the production of books, records, and other evidence regarding a matter under investigation or hearing. Authorizes an employee who has been underpaid under the Act to recover in a civil action damages of 2% of the amount of the underpayments for each month following the date of payment during which the underpayments remain unpaid (in addition to the underpayments, costs, and attorney's fees that may be collected under existing law). In provisions allowing the Department of Labor to collect certain penalties and damages for underpayments, deletes language providing that the Director of Labor may promulgate rules for the collection of those penalties, deletes language providing that those penalties may be determined and assessed through an administrative hearing, and deletes language providing that those penalties shall be imposed if the employer's conduct is proven by a preponderance of the evidence to be willful. In provisions authorizing the Director of Labor to supervise the payment of unpaid minimum wages and unpaid overtime compensation and to bring an action to recover those amounts and an equal additional amount as damages, also provides that the employer shall be liable to the Department of Labor for 20% of the total employer's underpayment. Amends the Illinois Wage Payment and Collection Act by providing that an employee is liable to pay specified penalties 15 days after the Director of Labor demands (rather than orders) that the employer pay the wages. Amends both Acts by including limited liability companies in the definition of "employer". Makes other changes. Effective immediately.

Senate Floor Amendment No. 3

Deletes provisions of the bill, as amended, concerning supervision by the Director of Labor of the payment of unpaid minimum wages and unpaid overtime compensation and an employer's liability for punitive damages in the case of underpayment, and re-inserts those provisions with the following additions: Provides that an employer "shall be additionally liable to the Department of Labor for up to 20% of the total employer's underpayment where the employer's conduct is proven by a preponderance of the evidence to be willful, repeated, or with reckless disregard of this Act or any rule adopted under this Act". Makes other changes.

House Amendment No. 1

Deletes provisions of the bill amending the Minimum Wage Law regarding an employer's liability for penalties and damages for underpayment of wages, and re-inserts similar provisions with revised provisions regarding penalties and damages as follows: "Such employer shall be liable to the Department of Labor for up to 20% of the total employer's underpayment where the employer's conduct is proven by a preponderance of the evidence to be willful, repeated, or with reckless disregard of this Act or any rule adopted under this Act. Such employer shall be additionally liable to the employee for damages in the amount of 2% of the amount of any such underpayments for each month following the date of payment during which such underpayments remain unpaid". Provides that an employee may not collect 2% damages for the same violation in both an action brought by the employee and an action brought by the Department. In provisions authorizing the Director of Labor to supervise the payment of unpaid minimum wages and unpaid overtime compensation and bring legal action to recover the unpaid amounts and damages, provides that those provisions apply if an employee has not collected damages for the same violation.

Fiscal Note (H-AM 1)(Department of Labor)

Administration of this Act would not require additional costs. There is no fiscal impact.

House Amendment No. 2

SB 02339 (CONTINUED)

In provisions regarding failure to comply with a subpoena or refusal of a witness to produce evidence or testify, provides that a court may (rather than shall) compel obedience by proceedings for contempt.

Home Rule Note (H-AM 1) Dept of Commerce & Economic Opportunity)

SB 2339 (H-AM 1) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1) Dept of Commerce & Economic Opportunity)

SB 2339 (H-AM 1) does not create a State mandate under the State Mandates Act.

Home Rule Note (H-AM 2) Dept of Commerce & Economic Opportunity)

SB 2339 (H-AM 2) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 2) Dept of Commerce & Economic Opportunity)

SB 2339 (H-AM 2) does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 2)(Department of Labor)

Administration of this Act would not require additional costs. There is no fiscal impact.

Jul 14 06 S Public Act 94-1025

SB 02345 Sen. William E. Peterson-Pamela J. Althoff

(Rep. Donald L. Moffitt-Jack D. Franks-Angelo Saviano-Elizabeth Coulson-Robert W. Pritchard and Thomas Holbrook)

225 ILCS 107/20

Amends the Professional Counselor and Clinical Professional Counselor Licensing Act. Provides that no person shall, without a valid license as a professional counselor issued by the Department, offer to render or render professional counseling services to individuals, corporations, or the public (now, offer to render or render professional counseling services to individuals, corporations, or the public if the words "professional counselor" or "licensed professional counselor" are used to describe the person offering to render or rendering them, or "professional counseling" is used to describe the services rendered or offered to be rendered).

May 12 06 S Public Act 94-0765

SB 02348 Sen. John J. Cullerton-Pamela J. Althoff-Susan Garrett

(Rep. Timothy L. Schmitz)

65 ILCS 5/11-74.4-4 from Ch. 24, par. 11-74.4-4

Amends the Municipal Code. Changes a Section that prohibits any member of a corporate authority of a municipality that is involved in a redevelopment project from acquiring an interest in any property located in the redevelopment area either after the individual obtains knowledge of the project or after the first public notice of the project, and requires that those members who own or control an interest in property located within the redevelopment project area disclose the terms of the interest and refrain from any further official involvement or communication regarding the redevelopment plan. Changes the exception for property purchased as the member's exclusive and primary residence by eliminating the requirement that the exception only applies to property interests in a redevelopment area, or a proposed redevelopment area, that was established before December 31, 1989. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Municipal Code. Allows a member of the corporate authorities of a municipality to acquire an interest in property located in a redevelopment area or a proposed redevelopment area for a period of one year after the effective date of the Act if (i) the property is used exclusively as the member's primary residence, (ii) the member discloses the acquisition to the municipal clerk, (iii) the acquisition is for fair market value, (iv) the member acquires the property as a result of the property being publicly advertised for sale, and (v) the member refrains from voting on, and communicating with other members concerning, any matter when the benefits to the redevelopment project or area would be significantly greater than the benefits to the municipality as a whole. Effective January 1, 2007.

Jul 07 06 S Public Act 94-1013

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02349 Sen. Jacqueline Y. Collins-Terry Link-Donne E. Trotter-Arthur J. Wilhelmi-Jeffrey M. Schoenberg, Ira I. Silverstein, Kimberly A. Lightford, Martin A. Sandoval and Mattie Hunter
 (Rep. Marlow H. Colvin-Karen A. Yarbrough-Calvin L. Giles-Eddie Washington-Deborah L. Graham)

New Act

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Creates the Mortgage Rescue Fraud Act. Outlines the terms that must be contained in a distressed property consultant contract and a distressed property reconveyance contract. Provides notice requirements for a distressed property consultant contract. Provides the right to cancel a distressed property consultant contract at any time until after the distressed property consultant has fully performed each contracted service. Provides the owner of the distressed property has a right to cancel a distressed property reconveyance contract at any time until midnight of the fifth business day following the day on which the owner of the distressed property signs the contract or until 8:00 a.m. on the last day of the period during which the owner of the distressed property has a right of redemption. Lists actions that constitute a violation of the Act. Provides for civil remedies for violation of the Act. Provides that a person who commits an intentional violation of one of the listed violations of the Act commits criminal mortgage rescue fraud. Provides criminal penalties for a person who commits criminal mortgage rescue fraud. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a violation of the Mortgage Rescue Fraud Act is a violation of the Consumer Fraud and Deceptive Business Practices Act. Effective January 1, 2007.

Senate Floor Amendment No. 3

Replaces everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Changes references from "reconveyance" to "conveyance". Provides that if the contract for the distressed property is not recorded, the contract and any conveyance made or given pursuant to the terms of the contract are void. Prohibits a distressed property purchaser from entering into a contract for distressed property unless the owner of the distressed property has a reasonable ability to pay for the subsequent conveyance of an interest back to the owner of the distressed property and to make monthly or any other required payments due prior to that time. Prohibits a distressed property purchaser from causing the property to be conveyed or encumbered without the knowledge or permission of the distressed property owner or in any way frustrate the ability of the distressed property owner to complete the conveyance back to the distressed property owner. Provides that the remedies under the Act are not exclusive, but cumulative and all other applicable claims, including, but not limited to, those brought under the direction of equitable mortgage, are specifically preserved. Makes other changes. Effective January 1, 2007.

House Amendment No. 1

In the definition of "distressed property consultant", provides that a "distressed property consultant" does not include a 501(c)(3) nonprofit agency or organization, doing business for no less than 5 years, that offers counseling or advice to an owner of a distressed property (instead of a home in foreclosure or loan default), if they do not contract for services with for-profit lenders or distressed property purchasers, or any person who structures or plans such a transaction. Changes the definition of "distressed property purchaser" to include any person who participates in a joint venture or joint enterprise involving a distressed property conveyance (instead of structures or plans a distressed property conveyance). Removes language providing that if the contract is not recorded, the contract and any conveyance made or given pursuant to the terms of the contract are void ab initio. Makes other changes. Effective January 1, 2007.

House Amendment No. 2

Further amends the Mortgage Rescue Fraud Act. In the definition of "distressed property purchaser", provides that a "distressed property purchaser" does not mean any person who acquires distressed property at a short sale or any person acting in participation with any person who acquires distressed property at a short sale, if that person does not promise to convey an interest in fee back to the owner or does not give the owner an option to purchase the property at a later date. Provides that a distressed property purchaser shall not fail to make a payment to the owner of the distressed property at the time the title is conveyed so that the owner of the distressed property has received consideration in an amount of at least 82% of the property's fair market value, or, in the alternative, fail to pay the owner of the distressed property no more than the costs necessary to extinguish all of the existing obligations on the distressed property provided that the owner's costs to repurchase the distressed property pursuant to the terms of the distressed property conveyance contract do not exceed 125% of the distressed property purchaser's costs to purchase the property. Provides that, if an owner is unable to repurchase the property pursuant to the terms of the distressed property conveyance contract, the distressed property purchaser shall not fail to make a payment to the owner of the distressed property so that the owner of the distressed property has received consideration in an amount of at least 82% of the property's fair market value at the time of conveyance or at the expiration of the owner's option to repurchase.

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02356 Sen. Mattie Hunter-M. Maggie Crotty-Susan Garrett-Iris Y. Martinez-Martin A. Sandoval, John J. Millner and Pamela J. Althoff

(Rep. Lisa M. Dugan-Jack D. Franks-Annazette Collins-Ron Stephens-Lovana Jones and Naomi D. Jakobsson)

30 ILCS 105/8.44

40 ILCS 5/15-125 from Ch. 108 1/2, par. 15-125

235 ILCS 5/6-21 from Ch. 43, par. 135

735 ILCS 5/8-2006

Amends a Section of the State Finance Act authorizing the transfer of certain moneys from special funds to the General Revenue Fund to provide that the State Comptroller shall not transfer moneys from the State Off-Set Claims Fund. Requires the State Comptroller to reverse any transfers already made from that fund. Amends the Illinois Pension Code to provide that the "effective rate of interest" that must be determined by the State Comptroller annually must be determined for each fiscal year by January 31 (now, by September 1) immediately preceding the start of that fiscal year. Amends the Liquor Control Act of 1934 to provide that certain liability limits under that Act that are annually adjusted by the Comptroller shall be made available via the Comptroller's official website by January 31 of every year (now, made available to the chief judge of each judicial circuit). Amends the Code of Civil Procedure to provide that certain copying fees that are annually adjusted by the Comptroller shall be made available to the public via the Comptroller's official website by January 31 of every year. Effective immediately.

Senate Committee Amendment No. 1

Restores a requirement that certain liability limits under the Liquor Control Act that are annually adjusted by the Comptroller be made available to the chief judge of each judicial circuit.

House Amendment No. 1

Deletes reference to:

30 ILCS 105/8.44

Deletes the changes to the State Finance Act concerning transfers from special funds to the General Revenue Fund.

Jun 30 06 S Public Act 94-0982

SB 02358 Sen. John J. Cullerton

(Rep. Robert S. Molaro and Kurt M. Granberg)

5 ILCS 140/7 from Ch. 116, par. 207

Amends the Freedom of Information Act. Provides that the exemption from inspection and copying of defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under the Capital Crimes Litigation Act applies only until the conclusion of the trial of the case and not until conclusion of the appeal. Effective immediately.

Jun 27 06 S Public Act 94-0953

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02360 Sen. James F. Clayborne, Jr., Gary Forby, William R. Haine, Deanna Demuzio, Mike Jacobs and John M. Sullivan
(Rep. Daniel V. Beiser-Mike Boland-Patricia R. Bellock-Kenneth Dunkin)

New Act

Creates the Mississippi River Coordinating Council Act. Authorizes the creation of the Mississippi River Coordinating Council consisting of 13 voting members to be appointed by the Governor. Sets forth provisions relating to the composition of the Council. Provides that the Council shall: (1) periodically review activities and programs administered by State and federal agencies that directly impact the Mississippi River and its tributaries; (2) work with local communities and organizations to encourage partnerships that enhance awareness and capabilities to address watershed and water resource concerns and to encourage strategies that protect, restore, and expand critical habitats and soil conservation and water quality practices; (3) work with State and federal agencies to optimize the expenditure of funds affecting the Mississippi River and its tributaries; (4) advise and make recommendations to the Governor and State agencies on ways to better coordinate the expenditure of appropriated funds affecting the Mississippi River and its tributaries; (5) encourage local communities to develop water management plans to address stormwater, erosion, flooding, sedimentation, and pollution problems and encourage projects for the natural conveyance and storage of floodwaters, the enhancement of wildlife habitat and outdoor recreation opportunities, the recovery, management and conservation of the Mississippi river and its tributaries, the preservation of farmland, prairies, and forests, and the use of measurable economic development efforts that are compatible with the ecological health of the State; and (6) help identify possible sources of additional funding for Mississippi River water management projects.

House Amendment No. 1

Provides that the Office of the Lieutenant Governor shall be responsible for the operations of the Mississippi River Coordinating Council, including, without limitation, funding and oversight of the Council's activities.

Fiscal Note (H-AM 1) (Office of the Lieutenant Governor)

No additional State funds are required to implement the Mississippi River Coordinating Council. Estimates for the Mississippi River Coordinating Council are \$20,000.00. Costs for the Council will be absorbed by the Lieutenant Governor's operating budget in FY07.

Jul 03 06 S Public Act 94-0996

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02368 Sen. Kwame Raoul-Donne E. Trotter-Jacqueline Y. Collins-Kirk W. Dillard, Iris Y. Martinez-Mattie Hunter and James T. Meeks

(Rep. Monique D. Davis-William Davis-Arthur L. Turner-Jay C. Hoffman-Deborah L. Graham, Esther Golar, Charles E. Jefferson, Milton Patterson, Linda Chapa LaVia, Marlow H. Colvin, Constance A. Howard, Lovana Jones, Cynthia Soto, Annazette Collins, Calvin L. Giles, Eddie Washington, Kenneth Dunkin, Jerry L. Mitchell, Kevin Joyce, Larry McKeon, Robert Rita, Paul D. Froehlich and Naomi D. Jakobsson)

625 ILCS 5/11-212

Amends the Illinois Vehicle Code. Provides that the ongoing traffic stop statistical study shall continue without an ending date (rather than terminating on December 31, 2007).

Senate Floor Amendment No. 1

Adds reference to:

New Act

Deletes everything after the enacting clause. Reinserts the provisions of the original bill, with changes and additions. Creates the Racial Profiling Prevention and Data Oversight Act, for the purpose of identifying and addressing bias-based policing through the monitoring, review, and improvement of the collection of racial profiling information collected under the Illinois Traffic Stop Statistical Study provision of the Illinois Vehicle Code. Creates a Racial Profiling Prevention and Data Oversight Board to achieve the purpose of the new Act. Provides that the Board shall, by July 1, 2007, study, recommend, and report on technological solutions to aid in the identification, elimination, and prevention of racial profiling. Provides that the Board shall and recommend funding sources for statewide implementation of the technological solutions. Provides that the Board shall, by July 1, 2008, report the results of its study as to whether the State should continue its data collection procedures. Amends the Illinois Vehicle Code traffic stop statistical study provision to require the Board to receive a report of the findings. Increases the frequency of data compilation from once to twice per year. Provides that the data collected shall include whether or not a consent for a search was requested and whether a consent was granted or denied. Provides that the data collected shall also include whether contraband was found during a search and, if so, the type and amount of contraband seized. Provides that the Racial Profiling Prevention Data Oversight Act takes effect immediately. Provides that the Vehicle Code provision takes effect on January 1, 2007. Provides that the Vehicle Code provision is repealed on July 1, 2010.

House Amendment No. 1

Provides that the Oversight Board shall consist of 15 (rather than 28) members and makes various changes in the membership. Provides that all members shall serve for 2 years and until their successors are appointed. Provides that members may be reappointed for an unlimited number of terms. Deletes language providing that the Oversight Board's members shall include 20 persons representing various specified organizations and agencies and appointed by various specified persons. Provides that the Board is purely advisory body. Provides that the Board shall, no later than April 1 of each year, report on its activities during the previous year. Delays other reporting deadlines. Provides that the Racial Profiling Prevention and Data Oversight Act takes effect on January 1, 2008 (rather than immediately).

Jul 03 06 S Public Act 94-0997

SB 02372 Sen. John J. Millner-M. Maggie Crotty

(Rep. Sidney H. Mathias-Susana A. Mendoza-Angelo Saviano-Thomas Holbrook and Harry R. Ramey, Jr.)

225 ILCS 65/10-30

Amends the Nursing and Advanced Practice Nursing Act. Provides that the requirements of certain provisions concerning applicants for nursing licensure who are graduates of nursing educational programs in a country other than the United States or its territories or who are licensed in another state or territory and have received their education in a country other than the United States or its territories may be satisfied by the showing of proof of a certificate from the Certificate Program or the VisaScreen Program of the Commission on Graduates of Foreign Nursing Schools.

Jun 26 06 S Public Act 94-0932

SB 02375 Sen. Mike Jacobs-Iris Y. Martinez, John O. Jones, Cheryl Axley and Dave Syverson

(Rep. Paul D. Froehlich-Robert F. Flider-Frank J. Mautino)

215 ILCS 5/367f

from Ch. 73, par. 979f

Amends the Illinois Insurance Code. Requires the Division of Insurance of the Department of Financial and Professional Regulation to enforce the provisions of a Section concerning the firemen's continuance privilege, including provisions relating to municipality self-insured benefit plans. Effective immediately.

Jun 15 06 S Public Act 94-0858

SB 02381 Sen. Terry Link

(Rep. Kathleen A. Ryg-Elizabeth Coulson-Daniel V. Beiser-Patricia R. Bellock-Karen May, Dan Reitz, Jack McGuire, Bill Mitchell and Lisa M. Dugan)

20 ILCS 105/8.08 new

Amends the Illinois Act on the Aging. Creates the Extended Community Care Options pilot program to be provided by Catholic Charities within Lake County. Provides that the program will enter into contracts with local vendors to provide services to prevent unnecessary institutionalization of the elderly. Provides that the Department on Aging shall evaluate the program and prepare a report for the General Assembly. Contains other provisions. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

20 ILCS 105/8.08 new

Adds reference to:

320 ILCS 42/25

Replaces everything after the enacting clause. Amends the Older Adult Services Act. Provides that the Older Adult Services Advisory Committee shall investigate innovative and promising practices operating as demonstration or pilot projects in Illinois and in other states. Provides that the Department on Aging shall provide the Older Adult Services Advisory Committee with a list of all demonstration or pilot projects funded by the Department, including those specified by rule, law, policy memorandum, or funding arrangement. Provides that the Committee shall work with the Department to evaluate the viability of expanding these programs into other areas of the State.

May 12 06 S Public Act 94-0766

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02391 Sen. William R. Haine, Deanna Demuzio, Dave Syverson, John O. Jones-Dale A. Righter, Cheryl Axley-Gary Forby, Mike Jacobs, Pamela J. Althoff, James F. Clayborne, Jr., John M. Sullivan and Gary G. Dahl
(Rep. Chapin Rose-Daniel V. Beiser-Robert F. Flider, John E. Bradley, Brandon W. Phelps, Wyvetter H. Younge, William Davis, Kurt M. Granberg, Linda Chapa LaVia, Edward J. Acevedo, John D'Amico, David Reis, Donald L. Moffitt, Jack D. Franks, Lisa M. Dugan and Harry R. Ramey, Jr.)

720 ILCS 646/55

720 ILCS 646/56 new

Amends the Methamphetamine Control and Community Protection Act. Creates the offense of methamphetamine trafficking. Provides that a person commits the offense when he or she knowingly brings, or causes to be brought, into this State anhydrous ammonia or a methamphetamine precursor for the purpose of manufacture or delivery or with the intent to manufacture or deliver methamphetamine that is not authorized by the Act. Provides that a person convicted of the offense shall be sentenced to a term of imprisonment of not less than twice the minimum term and not more than twice the maximum term of imprisonment based upon the amount of methamphetamine or methamphetamine precursor or anhydrous ammonia brought or caused to be brought into this State. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

720 ILCS 646/15

Adds reference to:

720 ILCS 646/20

Adds reference to:

720 ILCS 646/25

Adds reference to:

720 ILCS 646/30

Adds reference to:

720 ILCS 646/45

Deletes everything after the enacting clause. Amends the Methamphetamine Control and Community Protection Act. Reinserts the provisions of the bill with these changes: (1) provides that various offenses under the Act must be committed knowingly in order for the offender to have violated these provisions; (2) provides that the new offense of methamphetamine trafficking may be committed by knowingly bringing methamphetamine into this State for the purpose of manufacture or delivery of methamphetamine; and (3) provides that a person convicted of methamphetamine trafficking based upon a methamphetamine precursor shall be sentenced to a term of imprisonment of not less than twice the minimum term and not more than twice the maximum term of imprisonment based upon the amount of methamphetamine precursor brought or caused to be brought into this State. Effective immediately.

Senate Floor Amendment No. 2

Corrects a grammatical error in the bill as amended.

House Amendment No. 1

Adds reference to:

720 ILCS 570/312 from Ch. 56 1/2, par. 1312

Adds reference to:

720 ILCS 648/5

Adds reference to:

720 ILCS 648/10

Adds reference to:

720 ILCS 648/15

Adds reference to:

720 ILCS 648/20

Adds reference to:

720 ILCS 648/25

Adds reference to:

720 ILCS 648/35

Adds reference to:

720 ILCS 648/60 new

SB 02391 (CONTINUED)

Amends the Methamphetamine Precursor Control Act. Provides that it is lawful for persons to provide small quantities of targeted methamphetamine precursors to immediate family or household members for legitimate medical purposes, and it is lawful for persons to receive small quantities of targeted methamphetamine precursors from immediate family or household members for legitimate medical purposes. Provides that when a pharmacist or pharmacy technician distributes a targeted methamphetamine precursor to a person according to the procedures set forth in the Act, and the pharmacist or pharmacy technician does not have access to a working cash register at the pharmacy counter, the pharmacist or pharmacy technician may instruct the person to pay for the targeted methamphetamine precursor at a cash register located elsewhere in the retail establishment, whether that register is operated by a pharmacist, pharmacy technician, or other employee or agent of the retail establishment. Provides that the training requirements of employees of a retail distributor of any targeted methamphetamine precursor apply to the distribution of convenience packages away from pharmacy counters but do not apply to the distribution of targeted methamphetamine precursors through a pharmacy. Adds a severability clause to the Methamphetamine Precursor Control Act and to the bill. Also amends the Illinois Controlled Substances Act to make technical changes.

Jun 05 06 S Public Act 94-0830

SB 02395 Sen. Arthur J. Wilhelmi-Kirk W. Dillard-M. Maggie Crotty-Donne E. Trotter-William R. Haine
(Rep. Angelo Saviano-Patricia R. Bellock-Jack McGuire)

225 ILCS 25/16 from Ch. 111, par. 2316

225 ILCS 25/19.1 new

225 ILCS 25/38.2 new

225 ILCS 25/48 from Ch. 111, par. 2348

Amends the Illinois Dental Practice Act. Provides that beginning with the renewal period of 2006 and in order to obtain relevant information regarding the availability of dental services within the State, the Department shall require completion of a census as part of the renewal process. Creates a temporary dentistry or dental hygiene license for applicants who are pending licensure under the Act and who (i) hold an active, unencumbered license in good standing in another jurisdiction and (ii) are applying due to a natural disaster or catastrophic event. Allows a surviving spouse, personal representative of an estate, or other authorized fiduciary to employ, contract with, or otherwise make arrangements for a licensed dentist or dentists to continue to operate a dental practice under the name of a deceased or incapacitated dentist for a maximum time period of one year or until the practice is sold, whichever occurs first. Provides that regardless of whether a dental laboratory manufactures a dental appliance or has it manufactured by a subcontractor, the laboratory must provide to the prescribing dentist the (i) location where the work was done and (ii) source and original location where the materials were obtained. Effective immediately.

House Amendment No. 1

Deletes reference to:

225 ILCS 25/16

Deletes reference to:

225 ILCs 25/38.2 new

Adds reference to:

225 ILCS 25/5 from Ch. 111, par. 2305

Adds reference to:

225 ILCS 25/23 from Ch. 111, par. 2323

Reinserts the provisions of the engrossed bill with the following changes. Removes the provision requiring the Department to mandate the completion of a census as part of the renewal process and instead provides that the Department may require completion of a census by all licensed dentists in order to obtain relevant information regarding the availability of dental services within the State. Replaces the Section concerning the temporary licensure of applicants from other jurisdictions with a Section concerning the temporary authorization of applicants from other jurisdictions. Provides that a person holding an active, unencumbered license in good standing in another jurisdiction who applies for a license under the Illinois Dental Practice Act due to a natural disaster or catastrophic event in another jurisdiction may be temporarily authorized to practice dentistry or dental hygiene under the supervision of a licensed dentist, pending the issuance of the license. Removes the Section concerning the death or disability of a dentist. Makes other changes. Effective immediately.

Jul 07 06 S Public Act 94-1014

SB 02399 Sen. Debbie DeFrancesco Halvorson
(Rep. Lou Lang and Charles E. Jefferson)

820 ILCS 130/5 from Ch. 48, par. 39s-5

Amends the Prevailing Wage Act. Provides that the certified payroll submitted monthly by a contractor or subcontractor may exclude the starting and ending times of work each day. Provides that the contractor and each subcontractor shall make the certified payroll records available to the public body in charge of the project, its officers and agents and to the Director of Labor and his or her deputies and agents upon 7 (rather than 2) days' notice. Effective immediately.

Fiscal Note (H-AM 1) (Dept. of Labor)

Total Fiscal Impact: \$384,422.00

Fiscal Note (H-AM 2) (Dept. of Labor)

Total Fiscal Impact: \$384,422.00

Fiscal Note (H-AM 3) (Dept. of Labor)

Administration of SB 2399 (H-AM 3) will not impose additional costs on the Department of Labor.

State Debt Impact Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

SB 2399 (H-AM 1) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

SB 2399 (H-AM 2) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

State Debt Impact Note (H-AM 3)(Comm on Gov't Forecasting & Accountability)

SB 2399 (H-AM 3) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

SB 2399 (H-AM 1) would neither increase nor decrease the number of judges needed in the State.

Judicial Note (H-AM 2)(Admin Office of the Illinois Courts)

SB 2399 (H-AM 2) would neither increase nor decrease the number of judges needed in the State.

Judicial Note (H-AM 3)(Admin Office of the Illinois Courts)

SB 2399 (H-AM 3) would neither increase nor decrease the number of judges needed in the State.

Pension Note (H-AM 1) (Com. of Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Pension Note (H-AM 2) (Com. of Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Pension Note (H-AM 3) (Com. of Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Home Rule Note (H-AM 1) (Dept. of Commerce & Econ Opportunity.)

Does not pre-empt home rule authority.

Home Rule Note (H-AM 2) (Dept. of Commerce & Econ Opportunity.)

Does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1)(Dept of Commerce & Economic Opportunity)

This legislation does not impose requirements on units of local government, therefore, does not create a State mandate under the State Mandates Act.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce & Economic Opportunity)

This legislation does not impose requirements on units of local government, therefore, does not create a State mandate under the State Mandates Act.

State Mandates Fiscal Note (H-AM 3)(Dept of Commerce & Economic Opportunity)

This legislation does not impose requirements on units of local government, therefore, does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 1 & 3) (Dept. of Commerce & Econ Opportunity)

SB 02399 (CONTINUED)

The fiscal impact is estimated to be at least \$1.3 million. A more precise estimate cannot be made at this time because the number of entities which may report and the cost to design an internet-based reporting system and to engage data analysis and reporting assistance is currently unknown. This estimate does not consider the fiscal impact of this legislation on any other agency.

Housing Affordability Impact Note (H-AM 1) (Housing Development Authority)

No fiscal effect on a single-family home.

Housing Affordability Impact Note (H-AM 2) (Housing Development Authority)

No fiscal effect on a single-family home.

Housing Affordability Impact Note (H-AM 3) (Housing Development Authority)

No fiscal effect on a single-family home.

Jul 12 06 S Public Act 94-1023

SB 02400 Sen. John J. Cullerton-Dan Cronin-Edward D. Maloney-Mattie Hunter

(Rep. Karen A. Yarbrough-Jack McGuire-Cynthia Soto-Annazette Collins-John A. Fritchey and Eddie Washington)

410 ILCS 80/11 from Ch. 111 1/2, par. 8211

Amends the Illinois Clean Indoor Air Act. Allows all counties and municipalities (now, home rule counties and all municipalities), to regulate smoking in public places in a manner no less restrictive than regulation under the Act. Allows all municipalities and counties to regulate smoking in any enclosed indoor area used by the public or serving as a place of work if the area does not fall within the definition of a "public place" under the Act. Provides for the applicability of county ordinances. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Clean Indoor Air Act. Allows non-home rule counties, in addition to home rule units and non-home rule municipalities, to regulate smoking in public places in a manner no less restrictive than regulation under the Act. Allows all municipalities and counties to regulate smoking in any enclosed indoor area used by the public or serving as a place of work if the area does not fall within the definition of a "public place" under the Act. Effective immediately.

Jun 26 06 S Public Act 94-0917

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02436 Sen. M. Maggie Crotty-Dale E. Risinger and Pamela J. Althoff-Susan Garrett
 (Rep. Lisa M. Dugan-Constance A. Howard-Robin Kelly-William Davis-Arthur L. Turner, Elaine Nekritz, Kathleen A. Ryg and Eddie Washington)

20 ILCS 3960/12 from Ch. 111 1/2, par. 1162

Amends the Illinois Health Facilities Planning Act. Requires inventories of certain skilled or intermediate care facilities to be conducted annually by July 1, to list services provided, and to differentiate between active and inactive beds. Effective immediately.

Senate Floor Amendment No. 2

Adds reference to:

20 ILCS 3960/13 from Ch. 111 1/2, par. 1163

Further amends the Illinois Health Facilities Planning Act. Provides that facilities licensed under the Ambulatory Surgical Treatment Center Act, Hospital Licensing Act, Nursing Home Care Act, or End Stage Renal Disease Facility Act must report annual facility questionnaires to the State Board. Licensees under the Nursing Home Care Act must report speciality services. Facilities with beds must report further information.

House Amendment No. 1

Adds reference to:

20 ILCS 3960/19.6

Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill, amending the Illinois Health Facilities Planning Act, and further amends that Act to provide that the Act is repealed on April 1, 2007 (instead of on July 1, 2006). Effective immediately.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

State Debt Impact Note (H-AM 1) (Com. on Gov. Forecasting & Accountability)

Would not affect the level of State indebtedness.

Pension Note (H-AM 1) (Com. on Gov. Forecasting & Accountability)

Will not impact any public pension fund or retirement system in Illinois.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

This legislation would neither increase nor decrease the number of judges needed in the State of Illinois.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single family residence.

Jun 30 06 S Public Act 94-0983

SB 02445 Sen. John J. Cullerton
(Rep. Sara Feigenholtz)

235 ILCS 5/6-11 from Ch. 43, par. 127

Amends the Liquor Control Act of 1934. Provides that the prohibition against issuing a license to sell alcoholic liquor at retail at a premises that is located within a municipality with a population in excess of 300,000 and is within 100 feet of a school does not apply if (1) the primary entrance of the premises and the primary entrance of the school are at least 100 feet apart, on parallel streets, and separated by an alley and (2) the principal of the school has not indicated his or her opposition to the issuance or renewal of the license in writing to the local liquor control commissioner. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Replaces with the bill as introduced with the following changes. Provides that the prohibition against issuing a license to sell alcoholic liquor at retail at a premises that is located within a municipality with a population in excess of 300,000 and is within 100 feet of a school does not apply if the principal of the school and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that the principal and alderman do not object to the issuance or renewal of a license (rather than if the principal of the school has not indicated his or her opposition to the issuance or renewal of the license in writing to the local liquor control commissioner), the sale of liquor at the premises is incidental to the sale of food, and the sale of alcoholic liquor is not the principal business carried on at the premises. Effective immediately.

Senate Floor Amendment No. 2

Provides that the general superintendent of schools of the school district organized under Article 34 of the School Code (rather than the principal of the school) must deliver a written statement to the local liquor control commissioner that the general superintendent of schools (rather than the principal) does not object to the issuance or renewal of a license to sell alcoholic liquor.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Allows the issuance or renewal of a license authorizing the sale of (instead of a license to sell) alcoholic liquor at a premises that is located within a municipality with a population in excess of 1,000,000 (instead of 300,000) and is within 100 feet of a school if, in addition to the other specified requirements, the primary entrance of the premises and the primary entrance of the school are parallel (instead of 100 feet apart), on different (instead of parallel) streets, and separated by an alley; the southeast corner of the premises are at least 350 feet from the southwest corner of the school; (instead of the general superintendent of schools of the school district organized under Article 34 of the School Code and the alderman of the ward in which the school is located have delivered a written statement to the local liquor control commissioner stating that the general superintendent of schools and alderman do not object to the issuance or renewal of a license); the school was built in 1978; the sale of alcoholic liquor is not the principal business carried on by the licensee at the premises (instead of just the principal business carried on at the premises); the applicant is the owner of the restaurant and has held a valid license authorizing the sale of alcoholic liquor for the business to be conducted on the premises at a different location for more than 7 years; and the premises is at least 2,300 square feet and sits on a lot that is between 6,100 and 6,150 square feet. Effective immediately.

Jun 02 06 S Sent to the Governor

SB 02448 Sen. Gary Forby-M. Maggie Crotty
(Rep. William Delgado-Elizabeth Coulson-Cynthia Soto, Dan Reitz and Jack McGuire)

20 ILCS 105/4.02 from Ch. 23, par. 6104.02

20 ILCS 105/4.02e

Amends the Illinois Act on the Aging. Authorizes the Department to certify "adult day health services", as well as "adult day services". Defines terms. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Changes the definition of "adult day health services" to mean the direct care and supervision of adults aged 60 and over in a community-based setting for the purpose of providing ancillary health services (instead of medical supervision and personal attention).

Fiscal Note (Ill. Department on Aging)

No fiscal impact.

Jun 27 06 S Public Act 94-0954

SB 02449 Sen. Carole Pankau and William R. Haine
(Rep. Ruth Munson-Renee Kosel-Mike Boland-Jack McGuire-Sara Feigenholtz, Terry R. Parke, Lisa M. Dugan, Julie Hamos and Careen M Gordon)

20 ILCS 1005/1005-47 new

Amends the Department of Employment Security Law. Requires the Department of Employment Security, through its Illinois Skills Match Program, to implement and administer a central clearinghouse for information and opportunities for those seeking employment in Illinois. Requires the Department to maintain a web site that allows job seekers easy access to employment opportunities that match the skills of the person seeking employment. Requires all executive branch State agencies to use the program. Allows, and encourages, units of local government, school districts, and other public and private employers to use the program. Provides that the Department may not charge any employer or any person seeking employment a fee for using the program. Authorizes the Department to adopt rules. Effective immediately.

Senate Committee Amendment No. 2

Deletes everything after the enacting clause. Inserts the provisions of the introduced bill with these changes: requires all executive branch State agencies not under the Personnel Code to either post employment vacancies on the Skills Match System or provide a link to the agency's own site; requires the Department of Central Management Services to provide a link to its State employment information and career services web page; and makes conforming changes. Effective July 1, 2007.

May 19 06 S Public Act 94-0786

SB 02454 Sen. James A. DeLeo
(Rep. Dan Reitz-Rich Brauer-Jay C. Hoffman-Jim Sacia-Raymond Poe, Kenneth Dunkin, Patrick J Verschoore and Jack McGuire)

235 ILCS 5/6-15 from Ch. 43, par. 130

Amends the Liquor Control Act of 1934. Provides that alcoholic liquors may be delivered to and sold at retail or dispensed at facilities, properties, and buildings under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum by an individual or organization (now, a not-for-profit organization).

Senate Committee Amendment No. 1

Adds an immediate effective date.

Fiscal Note (Ill. Historic Preservation Agency)

There is no negative fiscal impact to the Illinois Historic Preservation Agency as a result of this bill. To date the Illinois Historic Preservation Agency has generated over \$245,000 from events at the Abraham Lincoln Presidential Library & Museum alone. Current law permits liquor to be served at sites when hosted by not-for-profits. Corporations and private parties have been turned away due to this legal restriction. To date, over 60 potential clients have been denied causing the agency and the State to lose rental revenues. This bill would allow the agency to generate more revenue for the State.

Jul 07 06 S Public Act 94-1015

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02455 Sen. Donne E. Trotter-Iris Y. Martinez-Jacqueline Y. Collins, John J. Cullerton-Don Harmon-Susan Garrett, William R. Haine, Antonio Munoz, Mattie Hunter, Kimberly A. Lightford, Todd Sieben, Martin A. Sandoval, Chris Lauzen, Jeffrey M. Schoenberg and James T. Meeks
 (Rep. Elizabeth Coulson-Patricia R. Bellock-William Delgado-Roger Jenisch-Naomi D. Jakobsson, Mary E. Flowers, William Davis, Arthur L. Turner, Wyvetter H. Younge, Robin Kelly, James H. Meyer, Kenneth Dunkin, Milton Patterson, Ronald A. Wait, Karen A. Yarbrough, Sandra M. Pihos, Terry R. Parke, Cynthia Soto, Rosemary Mulligan, Ruth Munson and Donald L. Moffitt)

105 ILCS 5/27-9.1 from Ch. 122, par. 27-9.1

105 ILCS 110/3 from Ch. 122, par. 863

30 ILCS 805/8.30 new

Amends the School Code and the Critical Health Problems and Comprehensive Health Education Act. Removes a provision that requires a sex education course that discusses sexual intercourse to have course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act and to provide information about responsible parenting and the availability of confidential adoption services. Provides instead that the Comprehensive Health Education Program must provide course material and instruction to advise pupils of the Abandoned Newborn Infant Protection Act and to provide information about responsible parenting and the availability of confidential adoption services. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Senate Floor Amendment No. 1

Removes the requirement that the Comprehensive Health Education Program provide course material and instruction to provide information about responsible parenting and the availability of confidential adoption services.

Jun 26 06 S Public Act 94-0933

SB 02456 Sen. Pamela J. Althoff, Antonio Munoz, Ira I. Silverstein, Dave Syverson, John O. Jones and Cheryl Axley
 (Rep. Sandra M. Pihos-Robert W. Pritchard-Randall M. Hultgren-David Reis-John D'Amico, Esther Golar, Charles E. Jefferson, Robin Kelly, Wyvetter H. Younge, William Davis, Arthur L. Turner, Mary E. Flowers, Jack D. Franks, Lisa M. Dugan, Kenneth Dunkin, Elizabeth Coulson, Carolyn H. Krause, John E. Bradley, Daniel V. Beiser, Milton Patterson, Robert F. Flider, Patricia R. Bellock, Annazette Collins and Gary Hannig)

625 ILCS 5/2-105 from Ch. 95 1/2, par. 2-105

Amends the Illinois Vehicle Code. Provides that any person 61 years of age or older applying at a driver services facility for renewal of his or her driver's license shall be provided, without charge, with a brochure warning the person of the dangers of financial identity theft. Provides that the Secretary of State shall prepare these brochures in consultation with the Department of Financial and Professional Regulation. Establishes requirements for the content of the brochures. Provides that the Secretary shall adopt rules for implementing the new provision.

Senate Committee Amendment No. 1

Provides that any person 61 years of age or older applying for renewal of his or her Illinois Identification Card shall also be provided with the brochure.

Senate Floor Amendment No. 2

Provides that the Department of Financial and Professional Regulation shall prepare these brochures and provide them to the Secretary of State for distribution (rather than providing that the Secretary shall prepare the brochures in consultation with the Department of Financial and Professional Regulation). Deletes language providing that the Secretary of State shall adopt rules for implementing the new provision.

House Amendment No. 1

Provides that any person (rather than any person 61 years of age or older) applying at a driver services facility for issuance (as well as for renewal) of a driver's license or Illinois Identification Card shall be provided with the brochure.

Jul 03 06 S Public Act 94-1001

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02465 Sen. John J. Cullerton-Jeffrey M. Schoenberg-Jacqueline Y. Collins, William R. Haine and Edward D. Maloney
(Rep. John A. Fritchey-Paul D. Froehlich-Karen A. Yarbrough-Jack McGuire-Karen May, Robin Kelly, Jack D. Franks and
Linda Chapa LaVia)

410 ILCS 80/4.5 new

Amends the Illinois Clean Indoor Air Act. Provides that smoking is prohibited in any portion of a building used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Provides that smoking is prohibited in any portion of the living quarters, including, but not limited to, sleeping rooms, dining areas, restrooms, laundry areas, lobbies, and hallways, of a building (rather than in any portion of a building) used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education. Provides that the prohibition does not apply to any commercial area within the building. Effective immediately.

May 15 06 S Public Act 94-0770

SB 02469 Sen. M. Maggie Crotty-John J. Millner
(Rep. Angelo Saviano-Patricia R. Bellock and Elizabeth Coulson)

5 ILCS 80/4.17	
5 ILCS 80/4.27 new	
225 ILCS 80/3	from Ch. 111, par. 3903
225 ILCS 80/4.5	
225 ILCS 80/5	from Ch. 111, par. 3905
225 ILCS 80/6	from Ch. 111, par. 3906
225 ILCS 80/7	from Ch. 111, par. 3907
225 ILCS 80/8	from Ch. 111, par. 3908
225 ILCS 80/9	from Ch. 111, par. 3909
225 ILCS 80/10	from Ch. 111, par. 3910
225 ILCS 80/11	from Ch. 111, par. 3911
225 ILCS 80/11.5 new	
225 ILCS 80/12	from Ch. 111, par. 3912
225 ILCS 80/13	from Ch. 111, par. 3913
225 ILCS 80/14	from Ch. 111, par. 3914
225 ILCS 80/15.1	
225 ILCS 80/16	from Ch. 111, par. 3916
225 ILCS 80/17	from Ch. 111, par. 3917
225 ILCS 80/19	from Ch. 111, par. 3919
225 ILCS 80/20	from Ch. 111, par. 3920
225 ILCS 80/21	from Ch. 111, par. 3921
225 ILCS 80/23	from Ch. 111, par. 3923
225 ILCS 80/24	from Ch. 111, par. 3924
225 ILCS 80/25	from Ch. 111, par. 3925
225 ILCS 80/26.1	from Ch. 111, par. 3926.1
225 ILCS 80/26.2	from Ch. 111, par. 3926.2
225 ILCS 80/26.5	from Ch. 111, par. 3926.5
225 ILCS 80/26.6	from Ch. 111, par. 3926.6
225 ILCS 80/26.7	from Ch. 111, par. 3926.7
225 ILCS 80/26.8	from Ch. 111, par. 3926.8
225 ILCS 80/26.9	from Ch. 111, par. 3926.9
225 ILCS 80/26.10	from Ch. 111, par. 3926.10
225 ILCS 80/26.11	from Ch. 111, par. 3926.11
225 ILCS 80/26.12	from Ch. 111, par. 3926.12
225 ILCS 80/26.13	from Ch. 111, par. 3926.13
225 ILCS 80/28	from Ch. 111, par. 3928

SB 02469 (CONTINUED)

Amends the Regulatory Sunset Act to change the repeal date of the Illinois Optometric Act of 1987 from January 1, 2007 to January 1, 2017. Amends the Illinois Optometric Practice Act of 1987. Removes all references to certificates and therapeutical certification throughout the Act. Replaces all references to "Department of Professional Regulation" with "Department of Financial and Professional Regulation" and replaces all references to "Director of Professional Regulation" with "Secretary of Financial and Professional Regulation" throughout the Act. Provides that the practice of optometry includes the appropriate use of ocular pharmaceutical agents, rather than diagnostic ocular pharmaceutical agents and therapeutic ocular pharmaceutical agents. Provides that the civil penalties for unlicensed practice and for violation of the Act shall not exceed \$10,000 (now, \$5,000). Removes a provision concerning initial Optometric Licensing and Disciplinary Board terms. Creates the position of optometric coordinator. Provides that the optometric coordinator shall be the chief enforcement officer of the Act and shall serve at the will of the Board. Provides that all licenses without "Therapeutic Certification" that are on inactive status as of March 31, 2006 shall be placed on non-renewed status and may only be restored after the licensee meets those requirements established by the Department of Financial and Professional Regulation. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Further amends the Illinois Optometric Practice Act of 1987. Provides that the Secretary of Financial and Professional Regulation shall select an optometric coordinator upon consultation with (instead of recommendation by) the Illinois Optometric Licensing and Disciplinary Board. Provides that persons employed by the Department of Financial and Professional Regulation to investigate allegations of violations of the Act shall work primarily in the areas of licensing and enforcement of the Act and may be used for other duties within the Department. Provides that the holder of a valid one-year residency license may perform only those acts prescribed by and incidental to the residency license holder's program of residency training (instead of a resident licensee with a limited license having the same privileges and responsibilities as a full licensee when practicing within a residency program). Adds a provision concerning residency license revocation. Provides that the entry of a plea of guilty to any crime under the laws of any U.S. jurisdiction that is a felony or a misdemeanor of which an essential element is dishonesty or any crime that is directly related to the practice of the optometry profession constitutes grounds for disciplinary action.

Senate Committee Amendment No. 2

Adds reference to:

225 ILCS 80/15.2 new

Further amends the Illinois Optometric Practice Licensing Act of 1987. Provides that any optometrist who (i) was originally licensed under a predecessor Act prior to 1965 and (ii) was not certified to use therapeutic ocular pharmaceutical agents as of January 1, 2006, shall, upon application and payment of a non-prorated fee of \$200, be issued a limited optometry license by the Department of Financial and Professional Regulation to practice optometry until January 1, 2007.

Senate Floor Amendment No. 3

Reinserts the provisions of the bill, as amended by Senate Amendments Nos. 1 and 2, with the following changes. Removes the provision requiring the Department of Financial and Professional Regulation to employ investigators to investigate allegations of violations of the Illinois Optometric Practice Act of 1987. Provides that a residency licensee may perform those acts prescribed by and incidental to his or her program of residency training with the same privileges and responsibilities as a fully licensed optometrist. Provides that, except for certain prohibited activities, a limited optometry licensee shall have all other rights and responsibilities of a licensee under the Act. Provides that failure to provide a patient with a copy of his or her record or prescription in accordance with federal law (now, failure to provide a patient with a copy of his or her record or prescription upon the written request of the patient) constitutes grounds for disciplinary action. Makes other changes. Effective immediately.

House Amendment No. 1

Removes a provision that provides that the optometric coordinator shall serve at the will of the Illinois Optometric Licensing and Disciplinary Board.

House Amendment No. 2

Provides that all licenses without "Therapeutic Certification" on March 31, 2006 shall be placed on non-renewed status and may only be renewed after the licensee meets those requirements established by the Department. Provides that the requirements that must be met by licensees holding licenses without "Therapeutic Certification" that are on inactive status as of March 31, 2006 and are placed on non-renewed status may not be waived.

May 19 06 S Public Act 94-0787

SB 02475 Sen. John J. Cullerton
(Rep. John E. Bradley)

750 ILCS 5/508 from Ch. 40, par. 508

Amends the Illinois Marriage and Dissolution of Marriage Act. Removes the one-year limitation period to file a complaint in an independent proceeding for actions brought to collect legal fees, when the action is brought after the close of the period during which a petition may be filed under the listed subdivision and no petition for legal fees remains pending. Provides that the limitation period for breach of contract shall apply to an action brought in an independent proceeding to pursue an award and judgment for legal fees and costs. Effective immediately.

Jul 07 06 S Public Act 94-1016

SB 02477 Sen. George P. Shadid-James F. Clayborne, Jr.-Dale E. Risinger
(Rep. Barbara Flynn Currie-Aaron Schock-Donald L. Moffitt-David R. Leitch-Robin Kelly and Monique D. Davis)

110 ILCS 905/2001 from Ch. 144, par. 1481

Amends the Allied Health Care Professional Assistance Law. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

110 ILCS 905/2001

Adds reference to:

50 ILCS 20/3 from Ch. 85, par. 1033

Deletes everything after the enacting clause. Amends the Public Building Commission Act. Changes the definition of "municipal corporation" until July 1, 2011 to include a school district that (i) was organized prior to 1860, (ii) is located partly within a city originally incorporated prior to 1840, and (iii) entered into a lease with a Public Building Commission prior to 1993, and its board of education.

Governor Amendatory Veto Message

Recommends that a school district that (i) was organized prior to 1860, (ii) is located in part in a city originally incorporated prior to 1840, and (iii) entered into a lease with a public building commission prior to 1993 is excluded from a provision of the Public Building Commission Act that requires a municipal corporation to hold a public hearing before entering into a lease with a public building commission and to levy or collect a tax by ordinance or resolution in an amount sufficient to pay the annual rent to the building commission.

Jul 07 06 S Governor Amendatory Veto

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02483 Sen. Mattie Hunter-William R. Haine-Jacqueline Y. Collins and Deanna Demuzio-Iris Y. Martinez-Kwame Raoul
(Rep. Tom Cross-Elizabeth Coulson-Sandra M. Pihos-Patricia R. Bellock-Sara Feigenholtz, Kenneth Dunkin, William Davis,
Mary E. Flowers, Wyvetter H. Younge, Arthur L. Turner, Mike Boland, Jack McGuire, Michael Tryon, Rosemary Mulligan,
Terry R. Parke, Gary Hannig, Annazette Collins and John E. Bradley)

New Act

Creates the Illinois State Diabetes Commission Act. Establishes the Illinois State Diabetes Commission. Sets forth term lengths of members and provides that members shall be reimbursed only for reasonable and necessary expenses. Requires the Department of Public Health to provide administrative support for the Commission. Sets forth duties of the Commission. Permits the Department to accept on behalf of the Commission any federal funds or gifts and donations from individuals, private organizations, and foundations. Repeals the Act on January 1, 2010. Effective November 1, 2006.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Replaces with the bill as introduced with the following changes. Changes references from the Department of Public Health to the Department of Human Services and from the Director of Public Health to the Secretary of Human Services. Removes the limitation on the number of members of the Illinois State Diabetes Commission. Provides that the Commission shall include an Executive Committee appointed by the Secretary. Deletes provisions related to terms of members and vacancies. Provides that meetings of the Commission shall be held 3 times per year (rather than at least every 90 days). Requires the annual report of the Commission's activities to be made available to the Secretary of Human Services, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and the Governor (rather than the Director of Public Health, the Speaker of the House of Representatives, the President of the Senate, and the Governor) by June 30 (rather than by February 1) of each year. Authorizes the Secretary to adopt rules. Makes other changes. Effective November 1, 2006.

House Amendment No. 1

Provides that membership on the Illinois State Diabetes Commission must include representatives of organizations or groups that advocate on behalf of persons suffering from diabetes (rather than representatives of the American Diabetes Association and Juvenile Diabetes Research Foundation).

May 19 06 S Public Act 94-0788

SB 02487 Sen. Ira I. Silverstein-Dan Rutherford-Pamela J. Althoff-Donne E. Trotter
(Rep. Lou Lang-Dan Brady-Aaron Schock-Kurt M. Granberg-Patricia R. Bellock, Roger Jenisch, Kevin Joyce, Jack D. Franks
and Linda Chapa LaVia)

305 ILCS 5/5-5.4 from Ch. 23, par. 5-5.4

Amends the Illinois Public Aid Code. In provisions concerning implementation of a new Minimum Data Set (MDS) payment methodology for nursing homes under the Medicaid program, provides that a transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 92 days (instead of 3 years) after implementation of the new payment methodology. Effective immediately.

House Amendment No. 1

Changes the transition period for the new payment methodology to 3 years and 184 days (instead of 3 years and 92 days) after implementation of the new payment methodology.

Jun 28 06 S Public Act 94-0964

SB 02489 Sen. George P. Shadid-Dale E. Risinger and Pamela J. Althoff
(Rep. William B. Black-Kevin Joyce-Terry R. Parke and Rich Brauer)

625 ILCS 5/18c-7503 from Ch. 95 1/2, par. 18c-7503

Amends the Illinois Vehicle Code. Provides that the owner of a terminal is expressly authorized, within the terminal property, to construct and properly operate and maintain specified security measures to protect the terminal property. Effective immediately.

Senate Committee Amendment No. 1

Provides that an electric fence constructed as a security measure must be entirely surrounded by a non-electric perimeter fence.

Senate Floor Amendment No. 3

Provides that any electric fence installed under provisions concerning terminal security shall: (i) be marked with appropriate signs; (ii) be entirely surrounded at a distance of at least 36 inches by properly maintained non-electric perimeter fences at least 8 feet tall; (iii) operate at a level of current that is not lethal to a human being upon contact; (iv) be covered at all times by an insurance policy maintained by the operator of the terminal for liability from claims arising out of the operation of the fence in an amount not less than \$10,000,000 per occurrence; and (v) be regularly monitored and inspected by a qualified electrician. Makes changes to the definition of "terminal", and makes other changes.

May 01 06 S Public Act 94-0736

SB 02491 Sen. Susan Garrett-Jacqueline Y. Collins
(Rep. Julie Hamos and Patricia R. Bellock)

20 ILCS 1705/7.3

210 ILCS 30/6.2 from Ch. 111 1/2, par. 4166.2

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that any owner or operator of a community agency who is identified by the nurse aide registry as having been the subject of a substantiated finding of abuse or neglect of a service recipient is prohibited from any involvement in any capacity with the provision of Department funded mental health or developmental disability services. Amends the Abused and Neglected Long Term Care Facility Residents Reporting Act. Provides that an individual who is a member of a collective bargaining unit shall not be reported to the Department of Public Health's nurse aide registry as an individual against whom there has been a substantiated finding of physical or sexual abuse or egregious neglect of a service recipient until the exhaustion of that individual's grievance and arbitration rights, or until 3 months after the initiation of the grievance process, whichever occurs first, provided that the Department of Human Services' hearing under these provisions regarding the reporting of an individual to the Department of Public Health's nurse aide registry (instead of the Department's hearing under provisions concerning investigations by the Inspector General, which is separate and distinct from the Office of the Inspector General's appeals process) has concluded. Effective immediately.

Jun 26 06 S Public Act 94-0934

SB 02505 Sen. John J. Cullerton-Jeffrey M. Schoenberg and William R. Haine
(Rep. Patricia R. Bellock-Sandra M. Pihos-Kathleen A. Ryg-Naomi D. Jakobsson-Paul D. Froehlich)

New Act

Creates the Alcohol Without Liquid Device Act. Prohibits the purchase, sale, and use of devices that mix alcoholic liquor with oxygen for the purpose of inhalation. Provides that a person who violates the Act commits a petty offense and may be fined up to \$1,000 per occurrence. Provides that the provisions of the Act are severable. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

235 ILCS 5/6-33 new

Deletes everything after the enacting clause. Amends the Liquor Control Act of 1934. Prohibits a person from bringing into the state any alcohol without liquid machines for use or sale. Defines "alcohol without liquid machine". Effective immediately.

May 08 06 S Public Act 94-0745

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02511 Sen. Kwame Raoul and Mattie Hunter

(Rep. Lovana Jones-Angelo Saviano-Kenneth Dunkin)

225 ILCS 410/1-7 from Ch. 111, par. 1701-7

225 ILCS 410/2-4 from Ch. 111, par. 1702-4

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Requires the licensure of barber clinic teachers. Provides the qualifications for a barber clinic teacher license. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

225 ILCS 410/1-4 from Ch. 111, par. 1701-4

Further amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 to provide a definition for "licensed barber clinic teacher".

Senate Committee Amendment No. 2

Further amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Provides that, in order to qualify for a license as a barber clinic teacher, a person must have (i) completed a program of 250 hours of clinic teacher training in a licensed school of barbering or (ii) within 5 years preceding the required examination, obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed barber and completed an instructor's institute of 20 hours (instead of (i) completed a program of 500 hours of teacher training in a licensed barber school and had 2 years of practical experience as a licensed barber within 5 years preceding the examination or (ii) completed a program of 1,000 hours of teacher training in a licensed barber school). Sets forth additional requirements for licensure qualification. Provides that the Department of Financial and Professional Regulation shall not issue any new barber clinic licenses after January 1, 2009, but that persons issued a license before that date may continue to renew the license or have it restored during their lifetime.

Jun 16 06 S Public Act 94-0871

SB 02546 Sen. Miguel del Valle-Kimberly A. Lightford-Jacqueline Y. Collins

(Rep. Cynthia Soto-Monique D. Davis-Michelle Chavez-Karen A. Yarbrough-William Delgado, Edward J. Acevedo, Lisa M. Dugan and David E. Miller)

105 ILCS 5/2-3.11d new

Amends the School Code. Provides that the State Board of Education has the power and duty to collect and maintain data, for each institution of higher education engaged in teacher preparation in this State, concerning the number of individuals taking the test of basic skills, the number of individuals passing the test of basic skills, the total number of subject-matter tests attempted, and the total number of subject-matter tests passed. Requires the State Board to periodically file with the General Assembly and the Governor and make available to the public a report listing the institutions of higher education engaged in teacher preparation in this State, along with the data pertinent to each institution. Effective immediately.

Jun 26 06 S Public Act 94-0935

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02554 Sen. Ira I. Silverstein, Antonio Munoz-Jacqueline Y. Collins-Martin A. Sandoval-Don Harmon, Dave Syverson, John O. Jones, Cheryl Axley, Deanna Demuzio and Susan Garrett
 (Rep. Aaron Schock-Randall M. Hultgren-Michael K. Smith-Mike Boland-Elaine Nekritz, Esther Golar, Charles E. Jefferson, Robin Kelly, Deborah L. Graham, Milton Patterson, Brandon W. Phelps, Lisa M. Dugan, Jack D. Franks, Linda Chapa LaVia, Susana A Mendoza, John E. Bradley, Gary Hannig, Careen M Gordon, Kathleen A. Ryg, Annazette Collins, Karen A. Yarbrough, Robert S. Molaro, Richard T. Bradley, James D. Brosnahan, Naomi D. Jakobsson, Robert F. Flider and Kevin Joyce)

720 ILCS 5/16G-10

720 ILCS 5/16G-15

720 ILCS 5/16G-21

720 ILCS 5/16G-25

720 ILCS 5/16G-30

720 ILCS 5/16G-35 new

720 ILCS 5/16G-40 new

Amends the Identity Theft Law of the Criminal Code of 1961. Provides that identity theft also occurs when a person knowingly: (1) uses any personal identification information or personal identification document of another to portray himself or herself as that person, or otherwise, for the purpose of gaining access to any personal identification information or personal identification document of that person, without the prior express permission of that person, or (2) uses any personal identification information or personal identification document of another for the purpose of gaining access to any record of the actions taken, communications made or received, or other activities or transactions of that person, without the prior express permission of that person. Provides that where a person has been convicted of this form of identity theft, in the absence of proof of actual damages, the person whose personal identification information or personal identification documents were used in the violation in question may recover damages of \$2,000. Provides that it is no defense to a charge of aggravated identity theft or identity theft that the offender received the consent of any person to access any personal identification information or personal identification document, other than the person described by the personal identification information or personal identification document used by the offender. Establishes exemptions to violations of the Identity Theft Law. Effective immediately.

House Amendment No. 1 (House recedes May 02, 2006)

Deletes reference to:

720 ILCS 5/16G-40 new

Provides that the new offense of using any personal identification information or personal identification document of another to portray himself or herself as that person, or otherwise, for the purpose of gaining access to any personal identification information or personal identification document of that person, without the prior express permission of that person, must be done for the purpose of fraudulently gaining access to any personal identification information or personal identification document of that person and the new offense of using any personal identification information or personal identification document of another for the purpose of gaining access to any record of the actions taken, communications made or received, or other activities or transactions of that person, without the prior express permission of that person must be with the intent to commit or to aid or abet another in committing any felony theft or other felony violation of State law. Deletes the new venue provisions from the Identity Theft Law.

Jul 05 06 S Public Act 94-1008

SB 02555 Sen. Kirk W. Dillard
 (Rep. James H. Meyer-Patricia R. Bellock)

70 ILCS 1005/10

from Ch. 111 1/2, par. 83

Amends the Mosquito Abatement District Act. Provides that a mosquito abatement district may, by ordinance, annex additional contiguous territory within a city or village if the district contains over 90% of the territory of the city or village and the territory is not incorporated within a mosquito abatement district. Provides that no contiguous territory may be annexed by a mosquito abatement district more than one year after it has been included in the city or village, unless the territory is 50 acres or less. Provides that no contiguous territory may be annexed by a mosquito abatement district if it expands the mosquito abatement district's boundaries outside of a county unless the district already contains territory in that county.

Jun 26 06 S Governor Vetoed

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02562 Sen. John M. Sullivan-Adeline Jay Geo-Karis, William R. Haine, Dave Syverson, John O. Jones, Cheryl Axley-Don Harmon-Jacqueline Y. Collins-Martin A. Sandoval, Deanna Demuzio, Mattie Hunter, Kimberly A. Lightford and Ira I. Silverstein
(Rep. Richard P. Myers, Kurt M. Granberg, Constance A. Howard, Deborah L. Graham, Jim Sacia, Lisa M. Dugan, Jack D. Franks and Linda Chapa LaVia)

725 ILCS 207/5

Amends the Sexually Violent Persons Commitment Act. Defines "sexually violent offense" to include the offense of indecent solicitation of a child. Effective immediately.

May 08 06 S Public Act 94-0746

SB 02569 Sen. Miguel del Valle-Jacqueline Y. Collins-Mattie Hunter
(Rep. Richard T. Bradley)

55 ILCS 5/3-5046 new

30 ILCS 805/8.30 new

Amends the Counties Code. Requires the county recorder to administer a system to notify owners of the filing of a quitclaim deed on their property. Sets forth the requirements for the notification system. Preempts home rule powers. Amends the State Mandates Act to require implementation without reimbursement.

Senate Committee Amendment No. 1

Amends the Counties Code. Provides that, upon recording or filing of any deed, the Recorder of Deeds in a county with a population of 3,000,000 or more must mail a notification post card to the previous owner of record.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with changes. Provides that the provisions of the Act apply to quitclaims deeds (instead of all deeds). Makes a technical change in the home rule preemption provision.

Jun 01 06 S Public Act 94-0823

SB 02570 Sen. Susan Garrett-Kwame Raoul
(Rep. Elaine Nekritz-Kenneth Dunkin)

765 ILCS 605/9 from Ch. 30, par. 309

Amends the Condominium Property Act. Provides that a purchaser of a condominium unit at a judicial foreclosure sale, or a mortgagee who receives a deed in lieu of foreclosure or a judgment of foreclosure or who otherwise takes possession of a condominium unit pursuant to a court order, must pay the proportionate share of the common expenses for the unit which would have become due in the absence of any assessment acceleration during the 6 months immediately prior to the filing of an action to enforce the collection of assessments.

Senate Floor Amendment No. 1

Further amends the Condominium Property Act. Provides that a purchaser of a condominium unit at a judicial foreclosure sale, other than a mortgagee or a purchaser who acquires title from a mortgagee who takes possession of a condominium unit pursuant to a court order, must pay the proportionate share of the common expenses for the unit which would have become due in the absence of any assessment acceleration during the 6 months immediately prior to the filing of an action to enforce the collection of assessments.

House Amendment No. 1

Adds reference to:

735 ILCS 5/15-1507 from Ch. 110, par. 15-1507

Amends the Code of Civil Procedure. Provides that a notice of judicial sale must, if the real estate is a condominium, include a statement of unpaid assessments or other charges due and owing. Further amends the Condominium Property Act. Provides that a purchaser of a condominium unit at a judicial foreclosure sale, other than a mortgagee or a purchaser who acquires title from a mortgagee who takes possession of a condominium unit pursuant to a court order, must pay the proportionate share of the common expenses for the unit which would have become due in the absence of any assessment acceleration during the 6 months immediately prior to the filing of an action to enforce the collection of assessments and which remain unpaid by the owner during whose possession the assessments accrued. If the outstanding assessments are paid during any action to enforce the collection of assessments, the purchaser will have no obligation to pay any assessments which accrued before he or she acquired title. Provides that the notice of sale of a condominium unit under a judicial foreclosure, the statement of assessment account issued by the condominium association to the purchaser of a unit from a mortgagee, and the disclosure statement issued to a prospective purchaser shall state that the purchaser of the unit other than a mortgagee shall pay the required assessments and the fees owed, if any.

House Amendment No. 3

Amends provisions of the bill stating that the notice of the sale of a condominium unit under a judicial foreclosure shall state that the purchaser of the unit other than a mortgagee shall pay the assessments and the legal fees required in specified parts of the Act. The statement of assessment account issued by the condominium association to a unit owner and the disclosure statement issued to a prospective purchaser shall state the amount of the required assessments and the fees owed, if any, required by specified parts of the Act.

Jun 01 06 S Sent to the Governor

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02578

Sen. Carol Ronen-Pamela J. Althoff-Jacqueline Y. Collins

(Rep. Lovana Jones-Constance A. Howard-Monique D. Davis-Michael Tryon-Patricia R. Bellock, Naomi D. Jakobsson, Roger Jenisch, William Delgado, Robert Rita, Michelle Chavez, Elizabeth Coulson, Shane Cultra, Joe Dunn and Mary E. Flowers)

225 ILCS 85/25

from Ch. 111, par. 4145

225 ILCS 85/26 new

Amends the Pharmacy Practice Act of 1987. Prohibits drug product selection in refills of anti-epileptic drugs without notification and the documented consent of the prescriber and patient or the participating provider. Effective immediately.

Senate Floor Amendment No. 3

Adds reference to:

410 ILCS 620/3.14

from Ch. 56 1/2, par. 503.14

Adds a provision declaring the Section concerning the prohibition of anti-epileptic drug product selection necessary for the immediate preservation of the public peace, health, and safety. Makes changes to the definition of "anti-epileptic drug" and "epilepsy". Defines "seizure" and removes the definition of "refill". Removes the provision concerning drug product selection in the refill of a prescription for anti-epileptic drugs and the provision concerning the determination of anti-epileptic drug therapy for an enrollee by a participating provider. Prohibits a pharmacist from interchanging an anti-epileptic drug or formulation of an anti-epileptic drug (instead of an equivalent anti-epileptic drug) for the treatment of epilepsy without notification and the documented consent of the prescribing physician and the patient or the patient's parent, legal guardian, or spouse (instead of the prescriber and patient) when the prescribing physician has indicated on the original prescription "dispense as written" or "may not substitute". Amends the Illinois Food, Drug and Cosmetic Act to exclude product selection of anti-epileptic drugs from a provision concerning the interchange of different brands of the same generically equivalent drug product.

Jun 26 06 S Public Act 94-0936

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02579 Sen. Jacqueline Y. Collins, Deanna Demuzio-Iris Y. Martinez-Mattie Hunter and James T. Meeks
 (Rep. Michael K. Smith-Mike Boland-Jack McGuire-Thomas Holbrook-Jack D. Franks, Esther Golar, Charles E. Jefferson, Robin Kelly, Lou Lang, Linda Chapa LaVia, John E. Bradley, Daniel V. Beiser, Robert F. Flider, Lisa M. Dugan, Annazette Collins, Gary Hannig and Careen M Gordon)

20 ILCS 625/2	from Ch. 127, par. 2602
30 ILCS 105/5.670 new	
30 ILCS 105/8h	
35 ILCS 5/507MM new	
65 ILCS 5/11-117-12.1	from Ch. 24, par. 11-117-12.1
220 ILCS 5/8-205	from Ch. 111 2/3, par. 8-205
220 ILCS 5/8-206	from Ch. 111 2/3, par. 8-206
220 ILCS 5/8-207	from Ch. 111 2/3, par. 8-207
220 ILCS 5/8-207.5 new	
305 ILCS 20/2	from Ch. 111 2/3, par. 1402
305 ILCS 20/3	from Ch. 111 2/3, par. 1403
305 ILCS 20/4	from Ch. 111 2/3, par. 1404
305 ILCS 20/6	from Ch. 111 2/3, par. 1406
305 ILCS 20/8	from Ch. 111 2/3, par. 1408
305 ILCS 20/13	
305 ILCS 20/15 new	
305 ILCS 20/16 new	
305 ILCS 22/5	

Amends the Illinois Economic Opportunity Act, the State Finance Act, the Illinois Income Tax Act, the Illinois Municipal Code, the Public Utilities Act, the Energy Assistance Act, and the Good Samaritan Energy Plan Act. Makes provisions concerning transfers to the General Revenue Fund from other funds not applicable to the Supplemental Low-Income Energy Assistance Fund, the Good Samaritan Energy Trust Fund, and the Energy Assistance Program Fund. Creates an Illinois income tax checkoff whereby a taxpayer may make a contribution to the Energy Assistance Program Fund. Prohibits the termination of gas or electric utility service to residential users who participate in or are eligible for the energy assistance program, and provides for reconnection of utility service to such households. Provides for administration of the energy assistance program and the Good Samaritan Energy Trust Fund by the Department of Healthcare and Family Services instead of the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity); requires the Department to adopt rules providing for enhanced enrollment for eligible consumers to receive energy assistance, and requires gas and electric utility companies and cooperatives to assist in coordinating low-income energy assistance. Provides that the annual eligibility level for the energy assistance program may not be lower (instead of higher) than 150% of the federal poverty level. Deletes the repeal of provisions concerning the Supplemental Low-Income Energy Assistance Fund scheduled for December 31, 2007. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

30 ILCS 105/5.670 new

Deletes reference to:

65 ILCS 5/11-117-12.1

Deletes reference to:

220 ILCS 5/8-205

Deletes reference to:

220 ILCS 5/8-206

Deletes reference to:

220 ILCS 5/8-207

Deletes reference to:

220 ILCS 5/8-207.5 new

Deletes reference to:

305 ILCS 20/6

SB 02579 (CONTINUED)

Deletes reference to:

305 ILCS 20/16 new

Replaces everything after the enacting clause and reinserts provisions similar to those of Senate Bill 2579, but with changes that include the following: (1) deletes references to a new Energy Assistance Program Fund; (2) provides for an Illinois income tax checkoff for contributions to the Supplemental Low-Income Energy Assistance Fund (instead of to the Energy Assistance Program Fund); (3) deletes all amendatory changes to the Illinois Municipal Code and the Public Utilities Act; (4) restores provisions of the Energy Assistance Act concerning the authority of the Illinois Commerce Commission to regulate all aspects of the provision of public utility service, and deletes amendatory provisions added to the Act concerning enhanced enrollment for energy assistance; (5) provides that the Supplemental Low-Income Energy Assistance Fund is authorized to receive private corporate donations as well as contributions made in accordance with the Illinois income tax checkoff provisions; and (6) restores the provisions of the Energy Assistance Act that repeal the provisions concerning the Supplemental Low-Income Energy Assistance Fund on December 31, 2007. Effective immediately.

Senate Floor Amendment No. 2

Provides that the Supplemental Low-Income Energy Assistance Fund is authorized to receive voluntary donations from individuals, foundations, corporations, and other sources (instead of to receive private corporate donations). Provides that the Department of Healthcare and Family Services (instead of the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity)) may establish rules to implement the provisions concerning the Supplemental Low-Income Energy Assistance Fund.

House Amendment No. 1 (House recedes Apr 10, 2006)

Adds reference to:

35 ILCS 5/509 from Ch. 120, par. 5-509

Adds reference to:

35 ILCS 5/510 from Ch. 120, par. 5-510

Further amends the Illinois Income Tax Act. Includes the Supplemental Low-Income Energy Assistance Fund in provisions concerning tax-checkoff explanations and determinations of contributed amounts. Provides that, in any year, the individual income tax return forms may not contain explanations and spaces for more than 18 funds. Requires the Department of Revenue to maintain a reserve list of all income tax checkoffs in excess of the 18 that are placed on income tax return forms.

May 18 06 S Public Act 94-0773

SB 02582 Sen. James F. Clayborne, Jr.-Don Harmon
(Rep. Linda Chapa LaVia-Thomas Holbrook)

35 ILCS 5/203 from Ch. 120, par. 2-203

Amends the Illinois Income Tax Act. Provides that a corporate income tax deduction for certain amounts paid or incurred by an interinsurer or reciprocal insurer to an attorney-in-fact: (i) applies on and after July 20, 1999; and (ii) is exempt from the Act's sunset provisions. Effective immediately.

May 19 06 S Public Act 94-0789

SB 02587 Sen. John J. Millner
(Rep. Sidney H. Mathias-Timothy L. Schmitz and Harry R. Ramey, Jr.)

235 ILCS 5/4-2 from Ch. 43, par. 111

Amends the Liquor Control Act of 1934. Provides that the designee of the mayor or president of the board of trustees of a city, village, or incorporated town or the designee of the president or chairman of a county board may be the local liquor control commissioner. Makes corresponding changes. Effective immediately.

May 08 06 S Public Act 94-0747

SB 02601 Sen. William R. Haine-M. Maggie Crotty, Dale E. Risinger, Deanna Demuzio, James F. Clayborne, Jr. and Ira I. Silverstein
(Rep. Randall M. Hultgren-Sandra M. Pihos, Jack D. Franks and Linda Chapa LaVia-Daniel V. Beiser)

755 ILCS 45/2-7.5

Amends the Power of Attorney Act. Provides that in the event that a principal of a power of attorney is incapacitated and the agent fails, within 21 days after a request, to provide records of receipts, disbursements, and significant actions to an elder abuse provider agency, the State Long Term Care Ombudsman, or the Inspector General of the Department of Human Services, the agency or the Ombudsman may petition the court to compel the production of the documents. Provides that failure to produce the records without good cause may subject the agent to a court order for costs, attorney's fees, and other relief. Effective immediately.

Jun 13 06 S Public Act 94-0850

SB 02613 Sen. John J. Cullerton
(Rep. Paul D. Froehlich-Donald L. Moffitt-Jim Sacia)

720 ILCS 5/31A-1.1 from Ch. 38, par. 31A-1.1

720 ILCS 5/31A-1.2 from Ch. 38, par. 31A-1.2

Amends the Criminal Code of 1961. Re-enacts the provisions of Public Act 89-688 relating to bringing contraband into a penal institution; possessing contraband in a penal institution; and unauthorized bringing of contraband into a penal institution by an employee. (Public Act 89-688 was held unconstitutional as violating the single subject clause of the Illinois Constitution). Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

720 ILCS 5/31A-1.1

Deletes reference to:

720 ILCS 5/31A-1.2

Adds reference to:

720 ILCS 5/29B-1 from Ch. 38, par. 29B-1

Deletes everything after the enacting clause. Amends the Criminal Code of 1961 relating to the offense of money laundering. Combines the changes made to Section 29B-1 of the Code concerning money laundering by Public Acts 94-364 and 94-556. Also makes a technical correction. Effective immediately.

Jun 27 06 S Public Act 94-0955

SB 02617 Sen. Kirk W. Dillard and Dan Rutherford-Jacqueline Y. Collins
(Rep. Jim Durkin-Linda Chapa LaVia-Patricia R. Bellock and Shane Cultra)

720 ILCS 5/16H-10

720 ILCS 5/17-1 from Ch. 38, par. 17-1

Amends the Criminal Code of 1961. Includes a currency exchange in the definition of financial institution under the Illinois Financial Crime Law. In the statute concerning deceptive practices, provides that a person who, with the intent to defraud, makes or causes to be made any false statement in writing in order to obtain services from a currency exchange, knowing such writing to be false, and with the intent that it be relied upon, is guilty of a Class A misdemeanor. Effective immediately.

Jun 16 06 S Public Act 94-0872

SB 02630 Sen. Kimberly A. Lightford-Jacqueline Y. Collins, James T. Meeks, Don Harmon and Edward D. Maloney
(Rep. Lou Lang-Karen A. Yarbrough-Jack D. Franks-Linda Chapa LaVia-Naomi D. Jakobsson, Jack McGuire, Monique D. Davis, Rosemary Mulligan, Charles E. Jefferson, Kurt M. Granberg, Esther Golar, John E. Bradley, Daniel V. Beiser, Lisa M. Dugan and Careen M Gordon)

105 ILCS 5/27-23.7 new

Amends the School Code. Provides that each school district may make suitable provisions for instruction in bullying prevention in all grades and include such instruction in the courses of study regularly taught therein. Provides that a school board may collaborate with a community-based agency providing specialized curricula in bullying prevention whose ultimate outcome is to prevent sexual violence. Allows the State Board of Education to assist in the development of instructional materials and teacher training in relation to bullying prevention. Effective immediately.

Jun 26 06 S Public Act 94-0937

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02631 Sen. Arthur J. Wilhelmi-Debbie DeFrancesco Halvorson-Christine Radogno-Kirk W. Dillard-Gary G. Dahl
(Rep. Brent Hassert-Jack McGuire)

70 ILCS 200/280-20

Amends the Civic Center Code. Authorizes the Will County Metropolitan Exposition and Auditorium Authority to sell certain real property in Joliet and retain the proceeds from the sale. Effective immediately.

House Amendment No. 1

Replaces everything after the enacting clause and reinserts provisions substantially similar to those of the engrossed bill, amending the "Will County Metropolitan Exposition and Auditorium Authority" Article of the Civic Center Code, except changes a reference from "East Joliet" to "East Juliet" and deletes an exception for an alley. Effective immediately.

May 19 06 S Public Act 94-0790

SB 02650 Sen. Don Harmon
(Rep. Naomi D. Jakobsson-Angelo Saviano)

625 ILCS 5/11-605.1

625 ILCS 5/18c-1702 from Ch. 95 1/2, par. 18c-1702

Amends the Illinois Vehicle Code. Provides that local police and sheriffs' departments have the duty to conduct investigations, make arrests, and take any other action necessary for the enforcement of the Illinois Commercial Transportation Law. Provides that moneys in the Transportation Safety Highway Hire-back Fund may be used to hire off-duty local police and sheriffs' department officers to monitor construction or maintenance zones.

Senate Committee Amendment No. 1

Deletes reference to:

625 ILCS 5/18c-1702

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that, if (i) a speeding violation in a construction or maintenance zone occurs in a county with a population of more than 1,000,000, (ii) the violation occurs on any highway other than an interstate highway, and (iii) a county police officer writes the ticket for that violation, the additional fine of \$125 or \$250 shall be deposited into the county's Transportation Safety Highway Hire-back Fund (rather than into the Transportation Safety Highway Hire-back Fund in the State treasury). Provides that, in a county with a population of more than 1,000,000, the Department of State Police and the county's police department have concurrent jurisdiction over any violation of the provision that occurs on an interstate highway. Provides that any county with a population of more than 1,000,000 shall create a Transportation Safety Highway Hire-back Fund. Provides that the county shall use all moneys in its Transportation Safety Highway Hire-back Fund to hire off-duty county police officers to monitor construction or maintenance zones in that county on highways other than interstate highways.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that, if a county police officer writes the ticket for a speeding violation in a construction or maintenance zone that occurs on any highway other than an interstate highway, the additional fine of \$125 or \$250 shall be deposited into the county's Transportation Safety Highway Hire-back Fund (rather than into the Transportation Safety Highway Hire-back Fund in the State treasury). Provides that the Department of State Police and the local county police department have concurrent jurisdiction over any violation of the provision that occurs on an interstate highway. Provides that each county shall create a Transportation Safety Highway Hire-back Fund. Provides that the county shall use all moneys in its Transportation Safety Highway Hire-back Fund to hire off-duty county police officers to monitor construction or maintenance zones in that county on highways other than interstate highways.

House Amendment No. 1

Adds reference to:

625 ILCS 7/10

Adds reference to:

625 ILCS 7/30

Amends the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act. Provides that, in any prosecution based upon evidence obtained through an automated traffic control system, the State must prove that one or more workers were present in the construction or maintenance zone when the violation occurred. Provides that a Uniform Traffic Citation mailed to the owner of a vehicle that has allegedly violated the Act must be sent via certified mail within 14 (rather than 6) business days of the alleged violation.

House Amendment No. 2

Adds reference to:

625 ILCS 5/11-612

Provides that, except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video, or other imaging system may be used to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event, and preempts home rule.

May 26 06 S Public Act 94-0814

SB 02654 Sen. Don Harmon-Donne E. Trotter
(Rep. Elaine Nekritz-Paul D. Froehlich)

70 ILCS 920/5.4 new

Amends the Tuberculosis Sanitarium District Act. Dissolves the Suburban Cook County Tuberculosis Sanitarium District on the day 4 months after the effective date of this amendatory Act. Provides for the transfer of the assets and liabilities of the District to the Cook County Board and requires the Cook County Department of Public Health to assume all responsibility for tuberculosis care and treatment of the District. Provides that on the day 2 months after the effective date of this amendatory Act the District Board shall forward all transition plans to the Cook County Department of Public Health. Provides that, upon dissolution of the District, District employees become employees of Cook County. Authorizes the Cook County Board to transfer to the Cook County Forest Preserve District appropriate unimproved real estate transferred to the Board as a result of the dissolution. Provides that any land owned by the District at the time of its dissolution remains the subject of any leases and encumbrances that existed upon the dissolution of the District, and if the land is subject to a lease, the land may not be taken by any unit of government during the term of the lease. Upon the dissolution of the Suburban Cook County Tuberculosis Sanitarium District, abolishes any levy imposed by the dissolved District and provides that Cook County, as a home rule unit, may impose a levy for the purpose of the care and treatment of tuberculosis and emerging respiratory disease in Cook County. Provides that, in accordance with certain provisions of the State Revenue Sharing Act, the tax base of the dissolved Suburban Cook County Tuberculosis Sanitarium District shall be added to the tax base of Cook County. Makes other changes. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Tuberculosis Sanitarium District Act. Dissolves the Suburban Cook County Tuberculosis Sanitarium District one year after the effective date of this amendatory Act. Provides for the transfer of the assets and liabilities of the District to the Cook County Board, and requires the Cook County Department of Public Health to assume all responsibility for the prevention, care, treatment, and control of tuberculosis within the District. Provides that the District Board shall forward all transition plans to the Cook County Department of Public Health 2 months after the effective date of this amendatory Act. Authorizes the Cook County Board to transfer unimproved real estate to the Cook County Forest Preserve District. Provides that any land owned by the District at the time of its dissolution is subject to any leases and encumbrances that existed upon the dissolution of the District. Abolishes any levy imposed by the District, and provides that Cook County, as a home rule unit, may impose a levy for the care and treatment of tuberculosis and emerging communicable respiratory diseases. Provides that the tax base of the dissolved district shall be added to the tax base of Cook County. Makes other changes. Effective immediately.

Senate Floor Amendment No. 2

Provides that, if land owned by the Suburban Cook County Tuberculosis Sanitarium District is subject to a lease, the land may not be taken by any unit of government during the term of the lease.

House Amendment No. 2

Deletes language that allows Cook County to impose a levy for the purpose of the prevention, care, treatment, and control of tuberculosis and emerging communicable respiratory diseases.

Jun 01 06 S Sent to the Governor

SB 02673 Sen. Kwame Raoul
(Rep. Dan Brady-Robert Rita)

755 ILCS 65/5
755 ILCS 65/10
755 ILCS 65/15
755 ILCS 65/40

Amends the Disposition of Remains Act. Provides that the person designated pursuant to Article IV of the Illinois Power of Attorney Act in a durable power of attorney for health care is added, in second place, to the prioritized list of those persons who have the right to control the disposition, including cremation, of the decedent's remains and who are liable for the costs of the disposition.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Removes the change to the prioritized list of those persons who have the right to control the disposition, including cremation, of the decedent's remains and who are liable for the costs of the disposition. Provides that the prioritized list applies unless the decedent has left directions in writing or designated an agent to direct the disposition of his or her remains. Provides that the agent may sign the written instrument at any time, but the agent's authority to act is not effective until the agent signs. Provides that a person may designate an agent to direct his or her disposition of remains in a will, a prepaid funeral or burial contract, a power of attorney that satisfies the provisions of Article IV-Powers of Attorney for Health Care of the Illinois Power of Attorney Act and contains a power to direct the disposition of remains, a cremation authorization form that complies with the Crematory Regulation Act, or in a written instrument that satisfies the provisions of the listed Sections and that is signed by the person and notarized. Provides that the changes in the written direction by the decedent for the disposition of his or her remains contained in the amendatory Act shall also apply to any written instrument that: (i) satisfies the provision of Article IV-Powers of Attorney for Health Care of the Illinois Power of Attorney Act; (ii) contains a power to direct the disposition of remains; and (iii) was created before the effective date of the amendatory Act. Effective immediately.

House Amendment No. 1

In the statutory form for the disposition of remains, provides that a hospital who receives a copy of a disposition of remains form may act under it.

Jun 01 06 S Sent to the Governor

SB 02676 Sen. Ira I. Silverstein
(Rep. Elaine Nekritz)

755 ILCS 45/3-4 from Ch. 110 1/2, par. 803-4

Amends the Illinois Power of Attorney Act. Provides that the Section that explains the powers granted in the statutory short form power of attorney for property is expanded so that the financial transaction subsection states that an agent may open, close, or control a Totten Trust, a Payable on Death Account, or a similar arrangement with a financial institution, but the agent's authority does not include any powers over accounts titled in the name of a trust pursuant to the Trust and Trustees Act, unless specifically authorized by a person's power of attorney for property. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

755 ILCS 45/2-9 from Ch. 110 1/2, par. 802-9

Further amends the Illinois Power of Attorney Act. Provides for an exception for Totten Trusts, Payable on Death Accounts, or similar accounts to the existing prohibition against an agent revoking or amending any trust for the benefit of the principal in order to pay income or principal to the agent, without specific authority to do so.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Amends the Illinois Power of Attorney Act. Provides that the Section that explains the powers granted in the statutory short form power of attorney for property is expanded so that the financial transaction subsection states that an agent may open, close, or control a Totten Trust, a Payable on Death Account, or a similar arrangement with a financial institution, but the agent's authority does not include any powers over accounts titled in the name of a trust pursuant to the Trust and Trustees Act, unless specifically authorized by a person's power of attorney for property. Provides for an exception for Totten Trusts, Payable on Death Accounts, or similar accounts to the existing prohibition against an agent revoking or amending any trust for the benefit of the principal in order to pay income or principal to the agent, without specific authority to do so.

Jun 26 06 S Public Act 94-0938

SB 02680 Sen. Antonio Munoz-Pamela J. Althoff
(Rep. Edward J. Acevedo-Jim Sacia)

50 ILCS 710/2	from Ch. 85, par. 516
55 ILCS 5/3-6013	from Ch. 34, par. 3-6013
60 ILCS 1/100-10	
65 ILCS 5/3.1-30-5	from Ch. 24, par. 3.1-30-5
65 ILCS 5/3.1-30-20	from Ch. 24, par. 3.1-30-20
65 ILCS 5/10-1-7	from Ch. 24, par. 10-1-7
65 ILCS 5/10-2.1-4	from Ch. 24, par. 10-2.1-4
65 ILCS 5/10-2.1-6	from Ch. 24, par. 10-2.1-6
65 ILCS 5/10-3-1	from Ch. 24, par. 10-3-1
720 ILCS 5/17-2	from Ch. 38, par. 17-2

Amends the Peace Officer Firearm Training Act. Deletes a provision that the Act does not apply to auxiliary policemen authorized under the Illinois Municipal Code. Amends various Acts to change the title of municipal "auxiliary policemen" to "auxiliary police officers". Amends the Illinois Municipal Code. Deletes a provision that auxiliary police officers, when on duty, shall also be conservators of the peace. Requires auxiliary police officers to have firearm training under the Peace Officer Firearm Training Act before they are permitted to carry a firearm as part of their duties. Amends the Criminal Code of 1961. Prohibits the use of the words "officer", "peace officer", "police", "law enforcement", "trooper", "sheriff", "deputy", "deputy sheriff", "state police", or similar words in the title of any organization, magazine, or other publication unless the organization is authorized to use those terms under provisions of the Solicitation for Charities Act, and provides that a violation is a Class C misdemeanor. Effective immediately.

Senate Floor Amendment No. 1

In the Criminal Code of 1961, exempts institutions of higher education and public bodies from the prohibition of the use of certain terms relating to law enforcement in the title of any organization, magazine, or other publication.

House Amendment No. 1

In the Criminal Code of 1961, prohibits the use, in the title of any organization, magazine, or other publication, of certain terms relating to law enforcement in combination with the name of any state, state agency, public university, or unit of local government without the express written authorization of that state, state agency, or unit of local government (now, prohibits the law-enforcement terms unless the organization is an institution of higher education or a public body or is authorized to use those terms under provisions of the Solicitation for Charities Act).

House Amendment No. 2

In the Illinois Municipal Code, restores language that auxiliary police officers, when on duty, shall also be conservators of the peace.

Jun 30 06 S Public Act 94-0984

SB 02695 Sen. Adeline Jay Geo-Karis-Kimberly A. Lightford-M. Maggie Crotty-Debbie DeFrancesco Halvorson-Carole Pankau
and Pamela J. Althoff
(Rep. Susana A Mendoza-Elizabeth Coulson-Patricia R. Bellock, Dan Reitz and Jack McGuire)

210 ILCS 45/3-421	from Ch. 111 1/2, par. 4153-421
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Amends the Nursing Home Care Act. Provides that pending approval from the resident, a nursing home must inform the resident's designated case coordination unit of the resident's pending discharge and must provide the resident or his or her representative with the case coordination unit's telephone number and other contact information. Effective immediately.

Senate Floor Amendment No. 1

Provides that the information specified in the introduced bill shall be given "with the consent of the resident or his or her representative" rather than "pending approval from the resident". Corrects a reference to the Illinois Administrative Code. Makes other changes.

May 12 06 S Public Act 94-0767

SB 02709

Sen. Arthur J. Wilhelmi

(Rep. Dan Brady-Brent Hassert-William B. Black-Frank J. Mautino-Kevin A. McCarthy, Marlow H. Colvin, Robert Rita, Bill Mitchell, Keith P. Sommer, Ruth Munson, Karen A. Yarbrough, Terry R. Parke, Roger Jenisch, Renee Kosel and Shane Cultra)

35 ILCS 105/3-5 from Ch. 120, par. 439.3-5
 35 ILCS 105/3-55 from Ch. 120, par. 439.3-55
 35 ILCS 110/3-5 from Ch. 120, par. 439.33-5
 35 ILCS 110/3-45 from Ch. 120, par. 439.33-45
 35 ILCS 115/3-5 from Ch. 120, par. 439.103-5
 35 ILCS 120/2-5 from Ch. 120, par. 441-5
 35 ILCS 200/10-152

Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that certain tax exemptions apply from the effective date of the legislation that created the exemptions through June 30, 2011. Amends the Property Tax Code. Extends the date of repeal of a Section concerning the assessment of vegetative filter strips from December 31, 2006 to March 1, 2007. Effective immediately.

Senate Committee Amendment No. 1

In the Property Tax Code, changes the date of repeal of a Section concerning the assessment of vegetative filter strips from to March 1, 2007 to December 31, 2016 (now, scheduled to repeal on December 31, 2006).

Jul 03 06 S Public Act 94-1002

SB 02711

Sen. Pamela J. Althoff-William E. Peterson

(Rep. Jack D. Franks, Michael Tryon and Mark H. Beaubien, Jr.)

Authorizes the Department of Natural Resources to convey certain land in McHenry County to the Village of Spring Grove. Effective immediately.

Senate Committee Amendment No. 1

Conveyance of land in McHenry County by the Department of Natural Resources to Spring Grove. Provides that the title to the property shall revert to the State, if the property ceases to be used for public passive recreation purposes (now, public purposes).

May 12 06 S Public Act 94-0768

SB 02713

Sen. Arthur J. Wilhelmi

(Rep. Brent Hassert-Jack McGuire-Eddie Washington)

70 ILCS 1825/14 from Ch. 19, par. 264
 70 ILCS 1825/15 from Ch. 19, par. 265
 70 ILCS 1825/16 from Ch. 19, par. 266
 70 ILCS 1825/18 from Ch. 19, par. 268

Amends the Joliet Regional Port District Act. Provides that the County Executive of Will County, with the advice and consent of the County Board, may appoint 3 members to the Joliet Regional Port District Board, who will serve for 6-year terms (now, the presiding officer of the County Board may appoint one member). Provides that the County Executive shall make the appointments within 60 days after the effective date of this amendatory Act. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

70 ILCS 1865/15 from Ch. 19, par. 193

Adds reference to:

70 ILCS 1865/16 from Ch. 19, par. 194

Adds reference to:

70 ILCS 1865/19 from Ch. 19, par. 197

Amends the Waukegan Port District Act. Provides that the Mayor of the City of Waukegan shall appoint 2 additional members to the Waukegan Port District Board.

Jul 03 06 S Public Act 94-1003

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02716 Sen. John M. Sullivan-Frank C. Watson-William R. Haine-Arthur J. Wilhelmi
(Rep. Robert F. Flider-Thomas Holbrook-Karen May)

815 ILCS 370/4 from Ch. 5, par. 1704

Amends the Motor Fuel and Petroleum Standards Act. Provides that the quality of gasoline-oxygenate blends sold or offered for sale in the State shall meet the standards set forth in the listed Sections of the Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Inspection Law as provided under the National Institute of Standards and Technology Handbook 130, and any of its subsequent supplements or revisions, except as specifically modified, amended, or rejected by regulation issued by the Director of the Illinois Department of Agriculture.

Senate Committee Amendment No. 1

Adds an immediate effective date.

Senate Floor Amendment No. 3

Provides that the quality of gasoline-oxygenate blends sold or offered for sale in the State shall meet the standards set forth in the listed Sections of the Uniform Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation (instead of Inspection Law) as provided under the National Institute of Standards and Technology Handbook 130.

Jun 16 06 S Public Act 94-0873

SB 02718 Sen. Don Harmon
(Rep. John A. Fritchey and Karen A. Yarbrough)

215 ILCS 155/2	from Ch. 73, par. 1402
215 ILCS 155/3	from Ch. 73, par. 1403
215 ILCS 155/4	from Ch. 73, par. 1404
215 ILCS 155/4.1 new	
215 ILCS 155/5	from Ch. 73, par. 1405
215 ILCS 155/6	from Ch. 73, par. 1406
215 ILCS 155/7	from Ch. 73, par. 1407
215 ILCS 155/8	from Ch. 73, par. 1408
215 ILCS 155/9	from Ch. 73, par. 1409
215 ILCS 155/10	from Ch. 73, par. 1410
215 ILCS 155/11	from Ch. 73, par. 1411
215 ILCS 155/12	from Ch. 73, par. 1412
215 ILCS 155/13	from Ch. 73, par. 1413
215 ILCS 155/14	from Ch. 73, par. 1414
215 ILCS 155/14.1	
215 ILCS 155/15	from Ch. 73, par. 1415
215 ILCS 155/16	from Ch. 73, par. 1416
215 ILCS 155/17	from Ch. 73, par. 1417
215 ILCS 155/18	from Ch. 73, par. 1418
215 ILCS 155/19	from Ch. 73, par. 1419
215 ILCS 155/20	from Ch. 73, par. 1420
215 ILCS 155/21	from Ch. 73, par. 1421
215 ILCS 155/21.1 new	
215 ILCS 155/21.2 new	
215 ILCS 155/21.3 new	
215 ILCS 155/22	from Ch. 73, par. 1422
215 ILCS 155/23	from Ch. 73, par. 1423
215 ILCS 155/24	from Ch. 73, par. 1424
215 ILCS 155/25	from Ch. 73, par. 1425

Amends the Title Insurance Act. Makes changes to definitions of "title insurance business", "title insurance", "title insurance company", "Escrow Agent", and "Independent Escrowee". Changes the definition of "Department" to mean the Department of Financial and Professional Regulation. Replaces references to the Director of Financial Institutions with Secretary of Financial and Professional Regulation and makes corresponding changes to the definition of "Director". Makes changes in provisions concerning deposits, the requirement of a certificate of authority, reinsurance, impairment of capital, discontinuance of issuance of new policies, reserves, the statutory premium reserve, examinations, annual statements, fees, independent escrowees, referral payments and kickbacks, regulatory actions, and violations and penalties. Provides that a title insurance company may continue to issue policies and perform other actions that are required to complete contractual obligations entered into prior to receiving notice from the Secretary to discontinue doing business until its capital has been made good. Requires title insurance companies to maintain reserves for losses independent of any other form of insurance and prohibits the issuance of other lines of insurance. Provides that title insurance agents acting as escrow agents must deposit funds in separate fiduciary accounts unless instructed otherwise. Provides that the funds will not be subject to any debts of the escrowee and can be used only in accordance with the terms of acceptance. Provides that a title insurance agent not qualified as an independent escrowee may act in the capacity of an escrow agent in certain circumstances. Provides that the Secretary may impose a fine for a violation of the Act. Provides standards for receivers and involuntary liquidation. Requires the Secretary of Financial and Professional Regulation to provide notice for any action. Provides that the notice must be made personally or by registered or certified mail, and by telephone facsimile or electronic mail or regular mail. Requires title insurance companies to retain certain records. Makes other changes. Effective immediately.

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02726 Sen. Louis S. Viverito-Martin A. Sandoval-Pamela J. Althoff, Deanna Demuzio and Arthur J. Wilhelmi
(Rep. Linda Chapa LaVia-Daniel V. Beiser-Robert F. Flider-Jack D. Franks-Richard P. Myers, John E. Bradley, Eddie Washington, Naomi D. Jakobsson, Kevin A. McCarthy, Mike Bost, Charles E. Jefferson, Lisa M. Dugan, Careen M Gordon, Robert W. Pritchard, Donald L. Moffitt and Karen May)

20 ILCS 1825/3 from Ch. 129, par. 403

820 ILCS 315/3 from Ch. 48, par. 283

Amends the Line of Duty Compensation Act. Provides that, if no beneficiary is designated or surviving at the death of an Armed Forces member killed in the line of duty, compensation under the Act shall be paid in the following priority: to the surviving beneficiaries designated in the Armed Forces member's Servicemembers' Group Life Insurance Election and Certificate; in accordance with the Armed Forces member's legally binding will; or in accordance with the provisions of the Act that apply to other line-of-duty deaths. Applies if compensation was not paid before the effective date of the amendatory Act. Amends the Illinois National Guardsman's Compensation Act to make conforming changes. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause and re-inserts similar provisions, but provides that the amendatory changes in this bill are made only if House Bill 5251 becomes law. Also makes the following changes: Changes references from "if no beneficiary is designated or surviving" to "if no beneficiary is designated or if no designated beneficiary survives". Provides that if there is no surviving designated beneficiary at the death of a law enforcement officer, civil defense worker, civil air patrol member, paramedic, fireman, chaplain, or State employee killed in the line of duty, the compensation shall be paid in accordance with a legally binding will and compensation shall be paid to specified relatives if the decedent did not leave a legally binding will. Adds applicability language. Provides that if no Servicemembers' Group Life Insurance Election and Certificate form exists for an Armed Forces member and the Armed Forces member did not leave a legally binding will, the compensation shall be paid "to the persons and in the priority as set forth in" (rather than "pursuant to") provisions governing payments to survivors of persons other than Armed Forces members who are killed in the line of duty. Provides that no compensation is payable under the Act if there is no surviving designated beneficiary of a person killed in the line of duty and no other person or entity to whom compensation is payable (rather than if there is no surviving designated beneficiary of a person killed in the line of duty and no surviving specified relative). Makes other changes. Effective immediately.

Fiscal Note (H-AM 1) (Court of Claims)

No fiscal impact on the court.

Jun 08 06 S Public Act 94-0844

SB 02728 Sen. Louis S. Viverito-Mattie Hunter-Iris Y. Martinez and Kimberly A. Lightford
(Rep. Careen M Gordon-Deborah L. Graham-Aaron Schock, Lisa M. Dugan, Sandra M. Pihos, Robert W. Pritchard, David Reis, Michael K. Smith, Jim Watson, Roger L. Eddy, Robert F. Flider, Kevin Joyce, David E. Miller, Donald L. Moffitt, Rosemary Mulligan, Ruth Munson, Harry Osterman, Calvin L. Giles, Monique D. Davis, Jerry L. Mitchell, Suzanne Bassi, Daniel V. Beiser, Linda Chapa LaVia, Marlow H. Colvin, John D'Amico and Edward J. Acevedo)

20 ILCS 2310/2310-391 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Requires the Department of Public Health to develop educational materials on meningitis for distribution in elementary and secondary schools. Effective immediately.

May 12 06 S Public Act 94-0769

SB 02732 Sen. Louis S. Viverito
(Rep. Lovana Jones-Kevin A. McCarthy-Art Tenhouse-Thomas Holbrook-Aaron Schock, Frank J. Mautino, Constance A. Howard and Annazette Collins)

225 ILCS 450/0.03 from Ch. 111, par. 5500.03
225 ILCS 450/6.1
225 ILCS 450/9.01
225 ILCS 450/14.3
225 ILCS 450/16 from Ch. 111, par. 5517
225 ILCS 450/20.01 from Ch. 111, par. 5521.01
225 ILCS 450/20.1 from Ch. 111, par. 5522
225 ILCS 450/27 from Ch. 111, par. 5533

Amends the Illinois Public Accounting Act. Defines "peer review program" as a review of compliance with professional standards of practice (now, generally accepted accounting principles and auditing standards and other generally accepted technical standards). Provides a definition of "Peer Review Administrator". Requires firms and sole practitioners providing accounting services under the Act to complete a peer review as a condition of renewing a license unless an exemption applies. Allows the Department of Financial and Professional Regulation to adopt rules. Provides penalties for failure to comply with remedial actions determined appropriate by the Peer Review Administrator. Requires the firm or sole practitioner to pay for the costs of the peer review. Provides that the peer review proceedings, records, reports, and other documents are privileged and provides exceptions to the privilege. Provides for the peer review year of combined or divided firms or sole practitioners. Makes other changes. Effective immediately.

House Amendment No. 1

Adds reference to:

225 ILCS 450/9.3 new

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced with the following changes. Adds a provision authorizing and directing the Board of Examiners and the Department of Financial and Professional Regulation to share information with each other regarding those individuals and entities licensed or certified or applying for licensure or certification under the Illinois Public Accounting Act. Removes the provision concerning restrictions on information that may be obtained in any civil action, arbitration, or administrative proceeding. Effective immediately.

Jun 16 06 S Governor Vetoed

SB 02738 Sen. Edward D. Maloney
(Rep. Patricia Reid Lindner-Sara Feigenholtz-Linda Chapa LaVia-Naomi D. Jakobsson)

750 ILCS 50/1 from Ch. 40, par. 1501

Amends the Adoption Act. Provides that there is a rebuttable presumption, which can be overcome only by clear and convincing evidence, that a parent is unfit if there are 2 or more findings of physical abuse by the juvenile court under the Juvenile Court Act of 1987 (deletes references to the former Juvenile Court Act), the parent has been convicted or found not guilty by reason of insanity in a case of the death of a child by physical abuse, or there is a finding of physical child abuse resulting from the death of a child under the Juvenile Court Act of 1987. Adds to the list of criminal convictions that create a presumption that a parent is depraved by including predatory criminal sexual assault of a child (deletes aggravated criminal sexual assault), heinous battery of a child, or aggravated battery of a child.

Senate Committee Amendment No. 1

Further amends the Adoption Act. Provides that no conviction or finding of delinquency pursuant to Article 5 of the Juvenile Court Act of 1987 is a criminal conviction for the purpose of applying any presumption in the items concerning physical child abuse and depravity.

Jun 26 06 S Public Act 94-0939

SB 02739 Sen. John J. Cullerton
(Rep. John A. Fritchey)

740 ILCS 175/6 from Ch. 127, par. 4106

Amends the Whistleblower Reward and Protection Act. Provides that, where a subpoena requires the production of documentary material, the respondent shall produce the original of the documentary material, except that the Attorney General may agree that copies may be substituted for the originals. Requires that all documentary material kept or stored in electronic form, including electronic mail, shall be produced in hard copy, unless the Attorney General agrees that electronic versions may be substituted for the hard copy. Provides that the production of documentary material shall be made at the respondent's expense.

Fiscal Note (Office of the Attorney General)

No fiscal impact.

Jun 26 06 S Public Act 94-0940

SB 02740 Sen. Edward D. Maloney, John O. Jones, Cheryl Axley and Dave Syverson
(Rep. Michael K. Smith-David R. Leitch-Frank J. Mautino-Donald L. Moffitt-Aaron Schock and Kenneth Dunkin)

40 ILCS 5/4-118 from Ch. 108 1/2, par. 4-118

Amends the Downstate Firefighter Article of the Illinois Pension Code. Provides that the annual property tax levied for pension purposes tax shall be forwarded directly to the treasurer of the board within 30 business days of receipt by the county (was, by the municipality). Effective immediately.

Jun 15 06 S Public Act 94-0859

SB 02763 Sen. James F. Clayborne, Jr.-Mattie Hunter
(Rep. Thomas Holbrook and John A. Fritchey-Wyvetter H. Younge)

20 ILCS 2435/59 new

205 ILCS 5/48.1 from Ch. 17, par. 360

205 ILCS 105/3-8 from Ch. 17, par. 3303-8

205 ILCS 205/4013 from Ch. 17, par. 7304-13

205 ILCS 305/10 from Ch. 17, par. 4411

Amends the Abuse of Adults with Disabilities Intervention Act. Provides that the Office of Inspector General designated by the Department of Human Services has the power to subpoena witnesses and compel the production of books, papers, and documents. Sets forth that the mental health records of victims shall be confidential as provided under the Mental Health and Developmental Disabilities Confidentiality Act. Provides that financial records obtained during the course of an assessment are confidential and may be released only with the consent of the victim or the victim's guardian in response to a court order, a grand jury subpoena, or a subpoena from a law enforcement authority. Amends the Illinois Banking Act, the Illinois Savings and Loan Act of 1985, the Savings Bank Act, and the Illinois Credit Union Act. Authorizes a bank, savings and loan association, savings bank, or credit union to furnish information to law enforcement authorities, the Illinois Department on Aging and its regional administrative and provider agencies, the Department of Human Services Office of Inspector General, or public guardians: (i) upon subpoena by the investigatory entity or guardian, or (ii) if there is suspicion by the bank, association, savings bank, or credit union that a member who is an elderly or disabled person has been or may become the victim of financial exploitation (now, the information may be furnished if there is suspicion by the investigatory entity, the guardian, or the financial institution). Effective immediately.

Jun 13 06 S Public Act 94-0851

SB 02774 Sen. M. Maggie Crotty
(Rep. Terry R. Parke)

5 ILCS 80/4.17

5 ILCS 80/4.27 new

Amends the Regulatory Sunset Act. Changes the repeal date of the Boiler and Pressure Vessel Repairer Regulation Act from January 1, 2007 to January 1, 2017. Effective immediately.

Jun 27 06 S Public Act 94-0956

SB 02778

Sen. Todd Sieben

(Rep. Robert W. Pritchard-Jerry L. Mitchell-Donald L. Moffitt)

50 ILCS 748/25 new

110 ILCS 305/40 new

110 ILCS 520/25 new

110 ILCS 660/5-135 new

110 ILCS 665/10-135 new

110 ILCS 670/15-135 new

110 ILCS 675/20-140 new

110 ILCS 680/25-135 new

110 ILCS 685/30-145 new

110 ILCS 690/35-140 new

110 ILCS 805/3-29.3 new

425 ILCS 70/6 new

Amends the Volunteer Emergency Worker Job Protection Act and various Acts relating to the governance of public universities in Illinois. Provides that no public university or community college attendance policy or attendance policy of a faculty member thereof may in any way penalize a student who is a volunteer emergency worker for absence from class caused by the performance of his or her duties as a volunteer emergency worker. Amends the Volunteer Fire Protection Association Act. Provides that no public university or community college attendance policy or attendance policy of a faculty member thereof may in any way penalize a student who is a volunteer fire protection association member for absence from class caused by the performance of his or her duties as a volunteer fire protection association member. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

50 ILCS 748/25 new

Deletes reference to:

110 ILCS 305/40 new

Deletes reference to:

110 ILCS 520/25 new

Deletes reference to:

110 ILCS 660/5-135 new

Deletes reference to:

110 ILCS 665/10-135 new

Deletes reference to:

110 ILCS 670/15-135 new

Deletes reference to:

110 ILCS 675/20-140 new

Deletes reference to:

110 ILCS 680/25-135 new

Deletes reference to:

110 ILCS 685/30-145 new

Deletes reference to:

110 ILCS 690/35-140 new

Deletes reference to:

110 ILCS 805/3-29.3 new

Deletes reference to:

425 ILCS 70/6 new

Adds reference to:

New Act

Adds reference to:

SB 02778 (CONTINUED)

30 ILCS 805/8.30 new

Deletes everything after the enacting clause. Creates the Volunteer Emergency Worker Higher Education Protection Act. Provides that public universities and community colleges must adopt a policy that reasonably accommodates a student who is a volunteer emergency worker with regard to absence from class due to performance of his or her emergency worker duties. Provides for publication of the policy. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective July 1, 2006.

Jun 27 06 S Public Act 94-0957

SB 02782 Sen. Debbie DeFrancesco Halvorson-Mattie Hunter, Deanna Demuzio-Jacqueline Y. Collins and Kimberly A. Lightford
(Rep. Elizabeth Coulson-Patricia R. Bellock)

210 ILCS 30/6 from Ch. 111 1/2, par. 4166

740 ILCS 110/11 from Ch. 91 1/2, par. 811

Amends the Abused and Neglected Long Term Care Facility Residents Reporting Act; provides for disclosure of investigative reports to the Department of Financial and Professional Regulation and for the disclosure of investigative reports in connection with individuals receiving services at community agencies. Amends the Mental Health and Developmental Disabilities Confidentiality Act; provides for the disclosure of mental health or developmental disabilities service records and communications in accordance with the Abused and Neglected Long Term Care Facility Residents Reporting Act and the Abuse of Adults with Disabilities Intervention Act. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

20 ILCS 2435/55 from Ch. 23, par. 3395-55

Amends the Abuse of Adults with Disabilities Intervention Act. Provides that a person making a report of alleged abuse, neglect, or exploitation of an adult with disabilities, functioning in the person's capacity as a licensed professional, may be entitled to the result of the report and of the investigative assessment as authorized by the Inspector General.

Senate Floor Amendment No. 2

In provisions amending the Abuse of Adults with Disabilities Intervention Act, provides that a person making a report of alleged abuse, neglect, or exploitation may be entitled to the finding of the investigative assessment and subsequent referrals as authorized by the Inspector General (instead of entitled to the result of the report and of the investigative assessment). Provides that Office of Inspector General investigators shall inform the alleged victim or guardian that information regarding the finding and referrals may be released to the person who made the report if that person is a professional, and provides that the alleged victim or guardian shall be afforded the opportunity to refuse to consent to the release of that information.

Jun 13 06 S Public Act 94-0852

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02795 Sen. George P. Shadid-Miguel del Valle-Deanna Demuzio-John M. Sullivan-Dale E. Risinger, William E. Peterson and Mike Jacobs
(Rep. Michael K. Smith-Roger L. Eddy-Calvin L. Giles-Jerry L. Mitchell-Renee Kosel, Robert W. Pritchard, Mike Boland, Thomas Holbrook, Patrick J Verschoore, Larry McKeon, Aaron Schock, Frank J. Mautino and Shane Cultra)

10 ILCS 5/28-2	from Ch. 46, par. 28-2
105 ILCS 5/1B-21	
105 ILCS 5/5-32	from Ch. 122, par. 5-32
105 ILCS 5/7-02	from Ch. 122, par. 7-02
105 ILCS 5/7-6	from Ch. 122, par. 7-6
105 ILCS 5/7-11	from Ch. 122, par. 7-11
105 ILCS 5/9-11.2	from Ch. 122, par. 9-11.2
105 ILCS 5/9-12	from Ch. 122, par. 9-12
105 ILCS 5/10-10	from Ch. 122, par. 10-10
105 ILCS 5/10-10.5 new	
105 ILCS 5/10-11	from Ch. 122, par. 10-11
105 ILCS 5/10-16	from Ch. 122, par. 10-16
105 ILCS 5/10-21.12	from Ch. 122, par. 10-21.12
105 ILCS 5/11C-6	from Ch. 122, par. 11C-6
105 ILCS 5/11C-9	from Ch. 122, par. 11C-9
105 ILCS 5/Art. 11E heading new	
105 ILCS 5/11E-5 new	
105 ILCS 5/11E-10 new	
105 ILCS 5/11E-15 new	
105 ILCS 5/11E-20 new	
105 ILCS 5/11E-25 new	
105 ILCS 5/11E-30 new	
105 ILCS 5/11E-35 new	
105 ILCS 5/11E-40 new	
105 ILCS 5/11E-45 new	
105 ILCS 5/11E-50 new	
105 ILCS 5/11E-55 new	
105 ILCS 5/11E-60 new	
105 ILCS 5/11E-65 new	
105 ILCS 5/11E-70 new	
105 ILCS 5/11E-75 new	
105 ILCS 5/11E-80 new	
105 ILCS 5/11E-85 new	
105 ILCS 5/11E-90 new	
105 ILCS 5/11E-95 new	
105 ILCS 5/11E-100 new	
105 ILCS 5/11E-105 new	
105 ILCS 5/11E-110 new	
105 ILCS 5/11E-115 new	
105 ILCS 5/17-2	from Ch. 122, par. 17-2
105 ILCS 5/17-3	from Ch. 122, par. 17-3

SB 02795 (CONTINUED)

105 ILCS 5/17-5 from Ch. 122, par. 17-5

105 ILCS 5/18-8.05

105 ILCS 5/19-1 from Ch. 122, par. 19-1

105 ILCS 5/Art. 7A rep.

105 ILCS 5/Art. 11A rep.

105 ILCS 5/Art. 11B rep.

105 ILCS 5/Art. 11D rep.

105 ILCS 5/18-8.2 rep.

105 ILCS 5/18-8.3 rep.

105 ILCS 5/18-8.5 rep.

105 ILCS 555/5

Amends the School Code. Creates a new Article concerning the conversion and formation of school districts. Contains provisions concerning school district conversions; combined school district formation; unit school district formation; partial elementary unit school district formation; petitions; the holding of an election; taxes, bonds, and working cash funds; the effective date of a change; a map showing the change; assets, liabilities, bonded indebtedness, and tax rates; teachers in contractual continued service; limitations on contesting boundary changes; a limitation on successive petitions; a school district's nonrecognition status; unit district formation and a joint agreement vocational education program; and incentives. Repeals provisions concerning unit school district conversion in districts with not more than 250 students in grades 9 through 12, unit school district formation, school district combination, school district conversion, and supplementary State aid for new, annexing, and resulting districts. Makes related changes in the School Code and Election Code. Effective July 1, 2006.

Senate Floor Amendment No. 1

Adds reference to:

105 ILCS 5/11E-120

Adds reference to:

105 ILCS 5/11E-125

Adds reference to:

105 ILCS 5/11E-130

Adds reference to:

105 ILCS 5/11E-135

Adds reference to:

105 ILCS 5/20-2

from Ch. 122, par. 20-2

Deletes everything after the enacting clause. Reinserts the contents of the bill, but makes changes concerning references to various provisions; the purposes of the new Article; definitions; school district conversions; partial elementary unit district formations; petition filings; notice and petition amendments; hearings; approval or denial of petitions and administrative review; the holding of elections; ballots; passage requirements; the effective date of changes; assets, liabilities, and bonded indebtedness and tax rates; teachers in contractual continued service; limitations on contesting bonds; limitations on successive petitions; incentives; tax levies, purposes, and rates; the State aid formula; debt limitations of school districts; and the savings clause. Also removes a provision concerning taxes, bonds, and working cash funds and adds provisions concerning the specification of taxing purposes and rates; tax levies and borrowing authority, bonds, and working cash funds for districts other than partial elementary unit districts; the classification of property, taxes, bonds, and funds for combined school - unit districts and optional elementary unit districts; and the timing of the extension of tax levies. Effective July 1, 2006.

Senate Floor Amendment No. 3

Makes changes concerning residential requirements for school board members, definitions, dissolving and joining an optional elementary unit district, petition requirements, hearing requirements, administrative review of a petition decision, notice of referendum requirements, ballot requirements, the classification of property taxes, bonds, and funds for combined high school - unit districts and for optional elementary unit districts, the debt service extension base of a dissolved district, and the debt limitation of a partial elementary unit district. Makes technical changes concerning a notice of referendum, a ballot, a Section heading, and certain references.

Senate Floor Amendment No. 4

SB 02795 (CONTINUED)

In the new Article, defines "school needs". Makes additional changes with respect to an elementary school district that votes to join an optional elementary unit district issuing funding bonds, the notice of referendum to join an optional elementary unit district, and the ballot for an elementary school district to dissolve and join an optional elementary unit district.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/17-2

Deletes reference to:

105 ILCS 5/17-3

Deletes reference to:

105 ILCS 5/17-5

Makes changes concerning the conditions under which an optional elementary unit district may be organized; the specification of taxing purposes and rates with respect to a unit district and a tax for capital improvement purposes; and, for optional elementary unit districts, the tax rates set forth in the petition, a tax for capital improvement purposes, an annual rate reduction, and increasing the tax rate. Removes provisions amending Sections of the School Code concerning tax levies, purposes, and rates; additional levies and the submission to voters; and increasing tax rates for operations and maintenance purposes.

Jul 10 06 S Public Act 94-1019

SB 02798 Sen. Larry K. Bomke

(Rep. Raymond Poe-Rich Brauer)

55 ILCS 5/5-1127

Amends the Counties Code. Provides that a county board may charge a fee to a party requiring the use of or causing the use of a technical rescue team to recover personnel, expendables, and equipment costs.

Senate Floor Amendment No. 2

Deletes reference to:

55 ILCS 5/5-1127

Adds reference to:

55 ILCS 5/5-25012

from Ch. 34, par. 5-25012

Deletes everything after the enacting clause. Amends the Counties Code. Provides that the county board in county with a population of 180,000 or more (instead of 200,000) may provide for a 12-member county board of health.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Counties Code. Provides that when a county board of health consisting of 8 members takes over the responsibilities of a municipal department of public health, and the county board and city council adopt resolutions to that effect, the county board may, by resolution or ordinance, increase the membership of the board of health to 10 members. Provides that the 2 additional members shall be initially appointed by the mayor of the municipality with the approval of the city council; thereafter, successors shall be appointed by the president or chairman of the county board with the approval of the county board.

May 19 06 S Public Act 94-0791

SB 02807 Sen. James F. Clayborne, Jr.-Todd Sieben-Dave Syverson and Mike Jacobs
(Rep. Ronald A. Wait-Thomas Holbrook)

65 ILCS 5/11-117-1.1

220 ILCS 5/3-105 from Ch. 111 2/3, par. 3-105

220 ILCS 5/3-121 from Ch. 111 2/3, par. 3-121

220 ILCS 5/4-202.1

220 ILCS 5/19-105

805 ILCS 105/103.05 from Ch. 32, par. 103.05

Amends the Illinois Municipal Code. Provides that a municipality and a natural gas cooperative may voluntarily enter into an agreement defining the geographic areas in which each party shall provide retail natural gas service for certain reasons. Provides that a natural gas cooperative shall enter into such an agreement only if the natural gas cooperative has acquired the operating assets of a public utility or natural gas cooperative with the intention of operating those assets as a natural gas cooperative. Amends the Public Utilities Act. Defines "public utility" to exclude natural gas cooperatives that are not-for-profit corporations operated for the purpose of administering, on a cooperative basis, the furnishing of natural gas for the benefit of their members and that have acquired the operating assets of a public utility or natural gas cooperative with the intention of operating those assets as a natural gas cooperative. Amends the General Not For Profit Corporation Act of 1986. Provides that not-for-profit corporations may be organized for the purpose of furnishing natural gas on a cooperative basis. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

65 ILCS 5/11-117-1.1

Deletes reference to:

220 ILCS 5/4-202.1

Deletes Sections relating to the creation and enforcement of service area agreements between municipalities and natural gas cooperatives.

Senate Floor Amendment No. 2

Replaces everything after the enacting clause with the bill as amended by Senate Amendment No. 1 with the following changes. Changes the description of natural gas cooperatives that are excluded from the definition of "public utility". Effective immediately.

May 04 06 S Public Act 94-0738

SB 02810 Sen. Gary Forby
(Rep. Brandon W. Phelps-Thomas Holbrook-Mike Boland-John E. Bradley, Lisa M. Dugan, Careen M Gordon, Patrick J Verschoore, Robert F. Flider and Michael K. Smith)

520 ILCS 5/2.25 from Ch. 61, par. 2.25

520 ILCS 5/2.26 from Ch. 61, par. 2.26

Amends the Wildlife Code. Provides that the taking of a doe pursuant to an either-sex permit during the first open season shall not count towards any bag or possession limit under the Act. Sets forth that no Deer Hunting Permit fee shall be assessed for an antlerless only permit in a county in which a separate harvest period was authorized by the Department in the previous season.

Senate Floor Amendment No. 2

Deletes reference to:

520 ILCS 5/2.26 from Ch. 61, par. 2.26

Adds reference to:

520 ILCS 5/2.25 from Ch. 61, par. 2.25

Deletes everything after the enacting clause. Amends the Wildlife Code. Provides that the Department shall allow unused gun deer permits that are left over from a regular season for the taking of deer to be rolled over and used during any separate harvest period held within 6 months of the season for which those tags were issued at no additional cost to the permit holder subject to the management restrictions applicable to the special harvest program. Effective immediately.

Jun 26 06 S Public Act 94-0919

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02827 Sen. Deanna Demuzio-Chris Lauzen
(Rep. Frank J. Mautino)

30 ILCS 105/6z-27

Amends the State Finance Act. Provides for the transfer of specified amounts from various special funds in the State treasury to the Audit Expense Fund. Effective immediately.

Fiscal Note (Governor's Office of Mgmt & Budget)

Senate Bill 2827 amends the State Finance Act by transferring specified amounts of money from various special funds in the State treasury to the Audit Expense Fund. The monies from each fund are allocated for associated audit expense costs pursuant to the Auditor General. This bill identifies \$18,109,995 for transfer from various funds to the Audit Expense Fund in FY07. Every year, monies from different funds are transferred into the Audit Expense Fund. In FY06, a total of \$14,817,000 was transferred into the fund. Such amount included a General Revenue Fund transfer of \$11,230,000. For FY07, the Office of the Auditor General is requesting an extra \$3,292,995 in appropriation to this fund. Such amount includes an extra \$4,615,725 in appropriation from GRF from the FY06 level.

Jun 27 06 S Public Act 94-0958

SB 02829

Sen. Kimberly A. Lightford-Mattie Hunter

(Rep. Lou Lang-Calvin L. Giles-Roger L. Eddy, Robert W. Pritchard, Daniel V. Beiser, Suzanne Bassi, Marlow H. Colvin, Donald L. Moffitt, Lisa M. Dugan, Esther Golar, Kurt M. Granberg and Charles E. Jefferson)

105 ILCS 5/2-3.12	from Ch. 122, par. 2-3.12
105 ILCS 5/2-3.25d	from Ch. 122, par. 2-3.25d
105 ILCS 5/2-3.25f	from Ch. 122, par. 2-3.25f
105 ILCS 5/2-3.25g	from Ch. 122, par. 2-3.25g
105 ILCS 5/2-3.59	from Ch. 122, par. 2-3.59
105 ILCS 5/2-3.63	from Ch. 122, par. 2-3.63
105 ILCS 5/2-3.64	from Ch. 122, par. 2-3.64
105 ILCS 5/10-17	from Ch. 122, par. 10-17
105 ILCS 5/10-21.9	from Ch. 122, par. 10-21.9
105 ILCS 5/17-1.5	
105 ILCS 5/18-8.05	
105 ILCS 5/24-2	from Ch. 122, par. 24-2
105 ILCS 5/27-1	from Ch. 122, par. 27-1
105 ILCS 5/29-5	from Ch. 122, par. 29-5
105 ILCS 5/34-18.5	from Ch. 122, par. 34-18.5
105 ILCS 5/2-3.11b rep.	
105 ILCS 5/2-3.25e rep.	
30 ILCS 805/8.30 new	

Amends the School Code. Makes changes concerning the school building code, school and district improvement plans, the waiver and modification of mandates, staff development plans, local learning objectives and assessments, statements of affairs, criminal history records checks of school district employees, the limitation on administrative costs, the State aid formula, school holidays, and transportation reimbursement claims. Repeals a Section concerning latch key reports and a Section concerning school and district improvement panels. Amends the State Mandates Act to require implementation without reimbursement. Effective July 1, 2006.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/17-1.5

Deletes reference to:

105 ILCS 5/18-8.05

Deletes reference to:

105 ILCS 5/24-2 from Ch. 122, par. 24-2

Deletes everything after the enacting clause. Reinserts the contents of the bill, but makes changes concerning when the public hearing concerning the waiver or modification of mandates is held; a school district's statement of affairs; and the prohibition on a school district employing persons convicted of certain offenses. Also removes the provisions concerning the administrative costs limitation, the State aid formula, and school holidays and makes a technical change in a provision concerning criminal history records checks in the Chicago school district. Effective July 1, 2006.

Jun 16 06 S Public Act 94-0875

SB 02841 Sen. John M. Sullivan
(Rep. Dan Reitz)

225 ILCS 650/2 from Ch. 56 1/2, par. 302

225 ILCS 650/3 from Ch. 56 1/2, par. 303

225 ILCS 650/5.2

225 ILCS 650/13 from Ch. 56 1/2, par. 313

Amends the Meat & Poultry Inspection Act. Defines the word "amenable". Removes a provision in the definition of "meat broker", "poultry broker", or "meat and poultry broker" that prohibits a broker from possessing any processing equipment in his or her licensed facility. Provides that "processor" means any person engaged in the business of preparing food from animals (instead of preparing animal food). Provides that, in addition to the \$50 penalty assessed, if renewal license applications are not received by July 1 of each year, establishment operations shall be discontinued until payment is received in full. Provides that establishments licensed under the Act as Type II establishments for custom slaughtering and custom processing shall stamp the words "NOT FOR SALE-NOT INSPECTED" (now, "NOT FOR SALE") on all carcasses of animals and immediate poultry product containers for poultry slaughtered in such establishment and on all meat products and immediate poultry product containers for poultry products processed in that establishment. Makes other changes.

House Amendment No. 1

Deletes reference to:

225 ILCS 650/13

Deletes everything after the enacting clause. Reinserts the provisions of the bill with the following changes. Restores the provision that prohibits a meat broker from possessing any processing equipment in his or her licensed facility. Removes the Section concerning official inspection legend, marking, and labeling.

Jun 01 06 S Sent to the Governor

SB 02865 Sen. Don Harmon-Kirk W. Dillard-Kimberly A. Lightford
(Rep. Angelo Saviano-Sidney H. Mathias-Paul D. Froehlich-Karen A. Yarbrough-Jim Durkin and Deborah L. Graham)

625 ILCS 5/11-1201.1

625 ILCS 5/11-1201.5 new

Amends the Illinois Vehicle Code. Provides that the Illinois Commerce Commission and the Illinois Department of Transportation, in cooperation with a local law enforcement agency, may establish in any county or municipality a system for automated enforcement of railroad crossing violations. Provides for automated recording of vehicles that enter a railroad crossing against the signal or that obstruct traffic at a railroad crossing. Provides for the issuance of a Uniform Traffic Citation to the owner of the recorded vehicle. Establishes procedures for contesting the violation. Provides that violation of the provision is a petty offense for which a fine of \$250, or 25 hours of community service, shall be imposed. Provides that a fine of \$500 shall be imposed for a second or subsequent violation. Provides that the Secretary of State may suspend for not less than 6 months the registration of a vehicle involved in a second or subsequent violation. Provides that photographs from a system established under the new provision, or under the provision establishing a similar pilot program, can be made available to governmental agencies for safety analysis of the railroad crossing.

Senate Floor Amendment No. 1

Provides that local authorities desiring the establishment of an automated railroad crossing enforcement system must initiate the process by enacting a local ordinance requesting the creation of such a system. Provides that local authorities, the Commission, and the Department must agree to a plan for obtaining, from any combination of federal, State, and local funding sources, the moneys required for the purchase and installation of any necessary equipment.

House Amendment No. 1

Adds reference to:

625 ILCS 5/11-612 new

Provides that a county or municipality, including a home rule county or municipality, may not use an automated railroad crossing enforcement system to provide recorded images of a motor vehicle for the purpose of recording its speed, and denies home rule powers with regard to this prohibition. Provides that, except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video, or other imaging system may be used to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event, and preempts home rule.

May 16 06 S Public Act 94-0771

SB 02868 Sen. John J. Cullerton-Pamela J. Althoff
(Rep. Paul D. Froehlich)

20 ILCS 3105/10.09-5

Amends the Capital Development Board Act. Requires that the Board adopt and update an energy efficiency code for State commercial buildings that incorporates the International Code Council's International Energy Conservation Commission's standards. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

20 ILCS 3125/15

Deletes everything after the enacting clause. Amends the Capital Development Board Act and the Energy Efficient Commercial Building Act. Provides that the Board's energy code is the International Energy Conservation Code in its latest published edition, any published supplements, and the Board's adaptations. Effective immediately.

House Amendment No. 1

Deletes reference to:

20 ILCS 3125/15

Adds reference to:

20 ILCS 3125/10

Deletes everything after the enacting clause. Amends the Capital Development Board Act. In the requirement that the Board adopt rules implementing a statewide energy code for certain facilities, removes the January 1, 2004 deadline. Amends the Energy Efficient Commercial Building Act. Defines the "Code" as the latest published edition of the International Code Council's International Energy Conservation Code, excluding published supplements but including any adaptations made by the Capital Development Board (now, the 2000 International Energy Conservation Code, the ASHRAE 90.1 1999 Standard, the 2001 supplement to the Code, and any adaptations to the Code made by the Board). Effective immediately.

May 26 06 S Public Act 94-0815

SB 02869 Sen. Antonio Munoz and Mike Jacobs-Pamela J. Althoff
(Rep. Susana A Mendoza)

720 ILCS 570/505 from Ch. 56 1/2, par. 1505

Amends the Illinois Controlled Substances Act concerning forfeited conveyances. Provides that when any forfeited conveyance, including an aircraft, vehicle, or vessel is returned to the seizing agency or prosecutor, the conveyance must be used for a minimum of one year in the enforcement of laws relating to cannabis or controlled substances. Provides that after one year, the conveyance may be used for official use in the enforcement of any law. Provides that upon disposal, all proceeds from the sale of the conveyance must be used for drug enforcement purposes. Effective immediately.

Senate Committee Amendment No. 1

Provides that amounts distributed to law enforcement agencies from moneys and the sale proceeds of other property forfeited under the Act may be used for security cameras used for the prevention or detection of violence.

Senate Floor Amendment No. 4

Adds reference to:

720 ILCS 550/12

from Ch. 56 1/2, par. 712

Adds reference to:

720 ILCS 646/85

Deletes everything after the enacting clause. Amends the Cannabis Control Act, the Illinois Controlled Substances Act, and the Methamphetamine Control and Community Protection Act. Provides that when a forfeited conveyance, including an aircraft, vehicle, or vessel, is returned to the seizing agency or prosecutor, the conveyance may be used immediately in the enforcement of the criminal laws of this State. Provides that upon disposal, all proceeds from the sale of the conveyance must be used for drug enforcement purposes. Provides that forfeited proceeds distributed to law enforcement agencies may be used for security cameras used for the prevention or detection of violence. Deletes provisions that provide that when a forfeited conveyance, including an aircraft, vehicle, or vessel, is returned to the seizing agency or prosecutor, the conveyance must be used for a minimum of one year in the enforcement of laws relating to cannabis or controlled substances and that provide that after one year, the conveyance may be used for official use in the enforcement of any law and that upon disposal, all proceeds from the sale of the conveyance must be used for drug enforcement purposes. Effective immediately.

Jul 03 06 S Public Act 94-1004

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02870

Sen. John M. Sullivan-M. Maggie Crotty

(Rep. Susana A Mendoza-Michael P. McAuliffe-Lisa M. Dugan-Jack D. Franks-Ron Stephens, Ruth Munson and Michelle Chavez)

20 ILCS 2615/10 new

Amends the State Police Radio Act. Requires that the Director of State Police, or his or her designee, serve as chairman of 2 public safety radio interoperability entities, the Illinois Statewide Interoperability Executive Committee and the STARCOM21 Oversight Committee. Specifies the minimum voting membership of those committees and authorizes the Director to increase the membership of the committees. Effective immediately.

Senate Floor Amendment No. 1

Adds the Director of the Secretary of State Police or his or her designee as a member of the State Interoperability Executive Committee.

Fiscal Note (Illinois State Police)

No fiscal impact to the Illinois State Police.

Jul 03 06

S Public Act 94-1005

SB 02871

Sen. Don Harmon

(Rep. Harry Osterman)

70 ILCS 1510/4.1 new

Amends the Chicago Park District Working Cash Fund Act. Allows the Chicago Park District commissioners to abolish its working cash fund. Provides that any remaining balance in the fund is transferred to the Chicago Park District's general corporate fund at the end of the then current fiscal year. Provides that any outstanding loans to other District funds shall be paid or become payable to the general corporate fund of the Chicago Park District at the close of the then current fiscal year. States that any obligation incurred by the Chicago Park District for the working cash fund shall be discharged as originally provided. Effective immediately.

Fiscal Note (Dept. of Commerce & Econ Opportunity)

Does not impact State finances, rather it impacts the finances of the Chicago Park District, a unit of local government. After abolishing the Chicago Park Districts, working cash fund, the legislation authorizes the Chicago Park District to transfer the remaining balance to its general corporate fund. The bill also requires that any obligation incurred by the Chicago Park District for the working cash fund to be discharged as originally provided. It is anticipated that SB 2871 will not incur a fiscal impact as the bill simply replaces one local government fund with another.

Jun 06 06

S Public Act 94-0840

SB 02872 Sen. Don Harmon
(Rep. Barbara Flynn Currie-Kenneth Dunkin)

35 ILCS 200/15-185

Amends the Property Tax Code. Provides for a property tax exemption for property that is leased by a municipality or unit of local government to another entity whose property is not exempt for the purpose of parking or for waste disposal or processing. Makes other changes.

Senate Floor Amendment No. 1

Provides that the exemption for property leased by a municipality or unit of local government applies only if the property, including dedicated public property, is used by a municipality or other unit of local government for the purpose of parking or for waste disposal or processing and is leased for continued use for the same purpose to another entity whose property is not exempt.

Senate Floor Amendment No. 2

Provides that the exemption for property leased by a municipality or unit of local government includes property used for the purposes of an airport. Provides, however, that the term "airport" does not include certain airport property defined under the O'Hare Modernization Act. Requires that transactions for the lease of property by a municipality or unit of local government be undertaken in accordance with all appropriate federal laws and regulations.

House Amendment No. 1

Adds reference to:

New Act

Adds reference to:

65 ILCS 5/11-102-15 new

Adds reference to:

820 ILCS 130/2 from Ch. 48, par. 39s-2

Adds reference to:

30 ILCS 805/8.30 new

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes: Creates the Local Government Facility Lease Act. Defines "facility property" as property that is owned by a municipality with a population of over 500,000 inhabitants, or a unit of local government in such a municipality, that is used by the municipality or unit of local government for the purpose of airport, parking, or waste disposal or processing facilities. Sets forth requirements on the lease of facility property to a private entity for continued use for the same purpose. With respect to all leased facility property, requires the lessee to comply with all applicable ordinances of the municipality in which the property is located governing contracting with minority-owned and women-owned businesses and prohibiting discrimination and requiring appropriate affirmative action. With respect to leased facility property used for airport purposes, sets forth requirements concerning the use of the lease proceeds by the lessor, labor agreements, wage requirements, and offers of employment to existing employees. Limits the expansion of runways at Chicago Midway International Airport, which is facility property that is used for airport purposes. Provides that the provisions of the Act are judicially enforceable by injunctive relief and actual damages. Preempts home rule. Amends the Illinois Municipal Code. Provides that Chicago Midway International Airport is subject to Local Government Facility Lease Act. Amends the Prevailing Wage Act. Provides that the definition of "public works" includes all projects at leased facility property used for airport purposes under the Local Government Facility Lease Act. Amends the State Mandates Act to require implementation without reimbursement. Further amends the Property Tax Code. Makes technical changes. Effective immediately.

House Amendment No. 2

Adds reference to:

New Act

Adds reference to:

65 ILCS 5/11-102-15 new

Adds reference to:

820 ILCS 130/2 from Ch. 48, par. 39s-2

Adds reference to:

30 ILCS 805/8.30 new

SB 02872 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes: Creates the Local Government Facility Lease Act. Defines "facility property" as property that is owned by a municipality with a population of over 500,000 inhabitants, or a unit of local government in such a municipality, that is used by the municipality or unit of local government for the purpose of airport, parking, or waste disposal or processing facilities. Sets forth requirements on the lease of facility property to a private entity for continued use for the same purpose. With respect to all leased facility property, requires the lessee to comply with all applicable ordinances of the municipality in which the property is located governing contracting with minority-owned and women-owned businesses and prohibiting discrimination and requiring appropriate affirmative action. With respect to leased facility property used for airport purposes, sets forth requirements concerning the use of the lease proceeds by the lessor, labor agreements, wage requirements, and offers of employment to existing employees. Limits the expansion of runways at Chicago Midway International Airport, which is facility property that is used for airport purposes. Provides that the provisions of the Act are judicially enforceable by injunctive relief and actual damages. Preempts home rule. Amends the Illinois Municipal Code. Provides that Chicago Midway International Airport is subject to Local Government Facility Lease Act. Amends the Prevailing Wage Act. Provides that the definition of "public works" includes all projects at leased facility property used for airport purposes under the Local Government Facility Lease Act. Amends the State Mandates Act to require implementation without reimbursement. Further amends the Property Tax Code. Makes technical changes. Effective immediately.

Fiscal Note (H-AM 2) (Dept. of Revenue)

Would not have a direct fiscal impact on State revenues or on the Department of Revenue.

Judicial Note (H-AM 2) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Pension Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

SB 2872 (H-AM 2) stipulates that with respect to any leased facility property used for airport purposes, at least 90% of the net proceeds of the lease shall be expended for the construction and maintenance of infrastructure within the municipality and contributions to pension funds created for municipal employees. It is unknown how the proceeds of any such lease would be distributed amongst the Chicago pension funds.

Correctional Note (H-AM 2)(Dept of Corrections)

There is no corrections population impact on the Department.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

No fiscal effect on a single-family residence.

State Mandates Fiscal Note (H-AM 2)(Dept of Commerce & Economic Opportunity)

In the opinion of DCEO, SB 2872 (H-AM 2) creates a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act. In addition, the legislation also contains language stating any mandate that it creates is not required to be reimbursed.

Home Rule Note (H-AM 2)(Dept of Commerce & Economic Opportunity)

In the opinion of DCEO, SB 2872 (H-AM 2) pre-empts home rule authority.

Balanced Budget Note (H-AM 2)(Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that this bill, if enacted into law, will have no impact to the State's budget.

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

SB 2872 (H-AM 2) would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore, would not affect the level of State indebtedness.

SB 02873 Sen. Don Harmon-William R. Haine and Peter J. Roskam-Jacqueline Y. Collins
(Rep. Careen M Gordon-Dan Brady-Lisa M. Dugan-John E. Bradley-Daniel V. Beiser, Jim Sacia, Naomi D. Jakobsson, Kathleen A. Ryg, John A. Fritchey, Linda Chapa LaVia, Jack D. Franks, Jim Watson, Chapin Rose, Deborah L. Graham, Kurt M. Granberg, Robert F. Flider and Brandon W. Phelps)

725 ILCS 207/20

Amends the Sexually Violent Persons Commitment Act. Makes a technical change in a Section concerning the civil nature of proceedings.

Senate Committee Amendment No. 1

Deletes reference to:

725 ILCS 207/20

Adds reference to:

725 ILCS 207/9 new

Adds reference to:

725 ILCS 207/15

Deletes everything after the enacting clause. Amends the Sexually Violent Persons Commitment Act. Provides that the Illinois Department of Corrections, not later than 6 months prior to the anticipated release from imprisonment or the anticipated entry into mandatory supervised release of a person who has been convicted or adjudicated delinquent of a sexually violent offense, shall send written notice to the State's Attorney in the county in which the person was convicted or adjudicated delinquent of the sexually violent offense informing the State's Attorney of the person's anticipated release date and that the person will be considered for commitment under the Act prior to that release date. Provides that a person convicted of a sexually violent offense remains eligible for commitment as a sexually violent person pursuant to the Act under the following circumstances: (1) the person is in custody for a sentence that is being served concurrently or consecutively with a sexually violent offense; (2) the person returns to the custody of the Illinois Department of Corrections for any reason during the term of parole or mandatory supervised release being served for a sexually violent offense; or (3) the person is convicted or adjudicated delinquent for any offense committed during the term of parole or mandatory supervised release being served for a sexually violent offense, regardless of whether that conviction or adjudication was for a sexually violent offense. Provides that the filing of a petition under the Act shall toll the running of the term of parole or mandatory supervised release until: (1) dismissal of the petition filed under the Act; (2) a finding by a judge or jury that the respondent is not a sexually violent person; or (3) the sexually violent person is conditionally released or discharged under the Act.

House Amendment No. 1

Adds various references to the Department of Juvenile Justice. Restores language relating to the period of time a petition must be filed alleging that a person who has been discharged from a Department of Juvenile Justice juvenile correctional facility is a sexually violent person. Also adds language relating to the period of time in which such petitions shall be filed for persons sentenced under the law in effect prior to February 1, 1978.

Jul 03 06 S Public Act 94-0992

SB 02878 Sen. Martin A. Sandoval and Dan Rutherford
(Rep. Michael Tryon-Mary E. Flowers-Shane Cultra-John A. Fritchey-Patricia R. Bellock)

625 ILCS 5/13B-55

Amends the Illinois Vehicle Code. Deletes language providing that the Secretary of State shall suspend the driving privileges of any vehicle owner who has not complied with the Vehicle Emissions Inspection Law of 1995. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

625 ILCS 5/13B-55

Adds reference to:

625 ILCS 5/13C-15

Adds reference to:

625 ILCS 5/13C-50

Adds reference to:

625 ILCS 5/13C-60

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that, no later than January 1, 2008, every vehicle that is subject to inspection under the Vehicle Emissions Inspection Law of 2005 is subject to inspection within not less than 30 days of notification by the Secretary of State. Provides that the owner of an inspected vehicle must obtain an emissions compliance certificate for the vehicle. Establishes a schedule for inspection of subject vehicles once every 2 years. Requires the Secretary and the Environmental Protection Agency to provide for a smooth transition to the new inspection schedule. Creates exemptions from the inspection requirement. Provides that, for a fee of \$20, the Agency may inspect vehicles whose inspection is not required under the law. Provides that, no later than January 1, 2008, the Secretary and the Agency shall establish a system under which a vehicle whose owner has not complied with inspection requirements shall be denied registration. Sets requirements for the system. Provides that the Secretary of State shall suspend the registration of a vehicle whose owner has not complied with inspection requirements. Provides that a person who displays an inspection or exemption certificate (rather than an inspection or exemption sticker) other than the one lawfully provided, or who duplicates or alters a certificate (rather than a sticker) or who uses, possesses, or distributes a certificate (rather than a sticker) in an unlawful manner is guilty of a Class C misdemeanor. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes language regarding the contents of the compliance certificate.

Jun 09 06 S Public Act 94-0848

SB 02882 Sen. Terry Link-Kimberly A. Lightford-Carol Ronen-Kwame Raoul-Don Harmon, M. Maggie Crotty and James T. Meeks
(Rep. Michael K. Smith-Monique D. Davis-Mike Boland-Thomas Holbrook-Lisa M. Dugan, Lou Lang, Deborah L. Graham, Robin Kelly, Charles E. Jefferson, Kurt M. Granberg, Esther Golar, John E. Bradley, Brandon W. Phelps, Robert F. Flider, Gary Hannig, Patrick J. Verschoore, Jack McGuire, Karen A. Yarbrough, Jack D. Franks, Linda Chapa LaVia, Calvin L. Giles, Harry Osterman, John A. Fritchey and Naomi D. Jakobsson)

105 ILCS 5/2-3.136

Amends the School Code. Creates a pilot class size reduction grant program, to be implemented and administered by the State Board of Education. Provides that grants shall be awarded to schools to defray the costs and expenses of operating and maintaining classes of no more than 15 pupils per teacher per class. Effective July 1, 2006.

Senate Committee Amendment No. 1

Provides that the pilot class size reduction grant program applies only to grades kindergarten through 3.

Jun 21 06 S Public Act 94-0894

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02885 Sen. Terry Link-Martin A. Sandoval, Pamela J. Althoff-Iris Y. Martinez-Jacqueline Y. Collins and James T. Meeks
 (Rep. Kathleen A. Ryg-Robin Kelly-Lisa M. Dugan-Linda Chapa LaVia-William Davis, Mary E. Flowers, John A. Fritchey,
 Karen May, Barbara Flynn Currie and Charles E. Jefferson)

New Act

Creates the Business Location Efficiency Incentive Act. Authorizes companies applying to the Department of Commerce and Economic Opportunity for certain economic development assistance tax credits to seek increased or extended tax credits if (i) the company's proposed project site is located in an area that capitalizes upon affordable workforce housing or accessible mass transit, (ii) the company submits to the Department an approved remediation plan to improve housing or access to mass transit, or (iii) the company's project is located in labor surplus areas. Provides for the Department's awarding of such incentives. Repeals the Act on December 31, 2011. Effective January 1, 2007.

Senate Committee Amendment No. 1

Authorizes (now, requires) the Department to award the incentives.

Jun 30 06 S Public Act 94-0966

SB 02898 Sen. Mattie Hunter-Kwame Raoul-Donne E. Trotter-Iris Y. Martinez
 (Rep. Mary E. Flowers-Roger L. Eddy-Paul D. Froehlich and Linda Chapa LaVia)

105 ILCS 5/22-30

30 ILCS 805/8.30 new

Amends the School Code. In provisions that require a public or nonpublic school to permit the self-administration of medication by a pupil with asthma, adds the requirement that the school also permit the self-administration of medication by a pupil with allergies. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced with the following changes. In the provisions that require a public or nonpublic school to permit the self-administration of medication by a pupil with asthma, adds the requirement that the school permit a pupil to use an epinephrine auto-injector (rather than permit the self-administration of medication by a pupil with allergies). Effective immediately.

House Amendment No. 1

Changes the definition of "epinephrine auto-injector" to mean a medical device (instead of a disposable single-use medical device) for immediate self-administration by a person at risk of (instead of with a history of) anaphylaxis.

May 19 06 S Public Act 94-0792

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02899 Sen. William R. Haine
 (Rep. William B. Black)

5 ILCS 80/5	from Ch. 127, par. 1905
5 ILCS 80/6	from Ch. 127, par. 1906
5 ILCS 100/5-30	from Ch. 127, par. 1005-30
5 ILCS 375/11	from Ch. 127, par. 531
5 ILCS 410/15	
15 ILCS 20/50-15	was 15 ILCS 20/38.2
15 ILCS 322/20	
15 ILCS 405/9.02	from Ch. 15, par. 209.02
15 ILCS 405/19	from Ch. 15, par. 219
15 ILCS 405/21	from Ch. 15, par. 221
15 ILCS 405/22.2	from Ch. 15, par. 222.2
15 ILCS 425/2	from Ch. 15, par. 602
20 ILCS 5/5-330	was 20 ILCS 5/9.18
20 ILCS 5/5-530	was 20 ILCS 5/6.01a
20 ILCS 10/3	from Ch. 127, par. 953
20 ILCS 105/8.01	from Ch. 23, par. 6108.01
20 ILCS 205/205-40	was 20 ILCS 205/40.31
20 ILCS 230/10	
20 ILCS 405/405-130	was 20 ILCS 405/67.28
20 ILCS 405/405-295	was 20 ILCS 405/67.30
20 ILCS 405/405-300	was 20 ILCS 405/67.02
20 ILCS 405/405-500	
20 ILCS 415/8a	from Ch. 127, par. 63b108a
20 ILCS 505/34.10	from Ch. 23, par. 5034.10
20 ILCS 605/605-105	was 20 ILCS 605/46.35
20 ILCS 605/605-112	was 20 ILCS 605/46.34b
20 ILCS 605/605-360	was 20 ILCS 605/46.19a in part
20 ILCS 605/605-415	
20 ILCS 605/605-855	was 20 ILCS 605/46.32a in part
20 ILCS 605/605-865	
20 ILCS 608/10	
20 ILCS 609/2	
20 ILCS 611/10	
20 ILCS 615/3	from Ch. 23, par. 3453
20 ILCS 615/8	from Ch. 23, par. 3458
20 ILCS 620/3	from Ch. 67 1/2, par. 1003
20 ILCS 625/2	from Ch. 127, par. 2602
20 ILCS 630/2	from Ch. 48, par. 2402
20 ILCS 630/3	from Ch. 48, par. 2403
20 ILCS 630/5	from Ch. 48, par. 2405
20 ILCS 630/7	from Ch. 48, par. 2407
20 ILCS 655/3	from Ch. 67 1/2, par. 603

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20 ILCS 655/12-2	from Ch. 67 1/2, par. 619
20 ILCS 660/15	from Ch. 5, par. 2715
20 ILCS 662/10	
20 ILCS 665/3	from Ch. 127, par. 200-23
20 ILCS 665/4b	
20 ILCS 685/1	from Ch. 127, par. 47.21
20 ILCS 685/3	from Ch. 127, par. 47.23
20 ILCS 687/6-3	
20 ILCS 687/6-6	
20 ILCS 688/10	
20 ILCS 689/10	
20 ILCS 690/3	from Ch. 5, par. 2253
20 ILCS 692/5	
20 ILCS 700/1003	from Ch. 127, par. 3701-3
20 ILCS 701/10	
20 ILCS 705/5	
20 ILCS 710/7	
20 ILCS 715/5	
20 ILCS 801/1-5	
20 ILCS 801/80-20	
20 ILCS 801/80-25	
20 ILCS 801/80-30	from 20 ILCS 801/35
20 ILCS 801/80-35	
20 ILCS 805/805-435	was 20 ILCS 805/63b2.5
20 ILCS 830/2-1	from Ch. 96 1/2, par. 9702-1
20 ILCS 860/2	from Ch. 105, par. 532
20 ILCS 860/2a	from Ch. 105, par. 532a
20 ILCS 1105/1	from Ch. 96 1/2, par. 7401
20 ILCS 1105/8	from Ch. 96 1/2, par. 7408
20 ILCS 1110/3	from Ch. 96 1/2, par. 4103
20 ILCS 1110/3.1	from Ch. 96 1/2, par. 4103.1
20 ILCS 1110/6	from Ch. 96 1/2, par. 4106
20 ILCS 1110/8	from Ch. 96 1/2, par. 4108
20 ILCS 1110/10	from Ch. 96 1/2, par. 4110
20 ILCS 1110/11	from Ch. 96 1/2, par. 4111
20 ILCS 1115/4	from Ch. 96 1/2, par. 7604
20 ILCS 1128/5-5	
20 ILCS 1305/1-25	
20 ILCS 1305/80-5	
20 ILCS 1510/10	
20 ILCS 2605/2605-45	was 20 ILCS 2605/55a-5
20 ILCS 2705/2705-255	was 20 ILCS 2705/49.14
20 ILCS 2705/2705-285	was 20 ILCS 2705/49.06b

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20 ILCS 2705/2705-405	was 20 ILCS 2705/49.25b
20 ILCS 2705/2705-435	was 20 ILCS 2705/49.25g-1
20 ILCS 3010/1	from Ch. 127, par. 3101
20 ILCS 3010/4	from Ch. 127, par. 3104
20 ILCS 3105/10.09-5	
20 ILCS 3405/20	
20 ILCS 3520/5	
20 ILCS 3820/15	
20 ILCS 3918/35	
20 ILCS 3953/10	from Ch. 96 1/2, par. 9810
20 ILCS 3953/15	from Ch. 96 1/2, par. 9815
20 ILCS 3965/2	from Ch. 127, par. 3952
20 ILCS 3965/3	from Ch. 127, par. 3953
20 ILCS 3965/4.5	
20 ILCS 3966/15-30	
20 ILCS 3966/15-35	
20 ILCS 3967/15	
20 ILCS 3968/15	
20 ILCS 3970/2	from Ch. 127, par. 3832
20 ILCS 3990/4	from Ch. 48, par. 2604
20 ILCS 3990/15	from Ch. 48, par. 2615
20 ILCS 4010/2004	from Ch. 91 1/2, par. 1954
20 ILCS 4010/2004.5	
20 ILCS 4020/7	from Ch. 48, par. 1507
20 ILCS 4020/12	from Ch. 48, par. 1512
25 ILCS 50/2	from Ch. 63, par. 42.32
25 ILCS 75/10	from Ch. 63, par. 42.91-10
25 ILCS 75/40	from Ch. 63, par. 42.91-40
30 ILCS 105/6b-3	from Ch. 127, par. 142b3
30 ILCS 105/6z-39	
30 ILCS 105/6z-54	
30 ILCS 105/8.14	from Ch. 127, par. 144.14
30 ILCS 105/8.22	from Ch. 127, par. 144.22
30 ILCS 105/8.23	from Ch. 127, par. 144.23
30 ILCS 105/9.03	from Ch. 127, par. 145d
30 ILCS 105/9.04	from Ch. 127, par. 145e
30 ILCS 255/1	from Ch. 127, par. 176b
30 ILCS 330/7	from Ch. 127, par. 657
30 ILCS 330/12	from Ch. 127, par. 662
30 ILCS 330/13	from Ch. 127, par. 663
30 ILCS 330/14	from Ch. 127, par. 664
30 ILCS 330/15	from Ch. 127, par. 665
30 ILCS 355/2	from Ch. 85, par. 1392

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30 ILCS 355/5	from Ch. 85, par. 1395
30 ILCS 355/7	from Ch. 85, par. 1397
30 ILCS 390/4	from Ch. 122, par. 1204
30 ILCS 390/6	from Ch. 122, par. 1206
30 ILCS 415/5	from Ch. 127, par. 705
30 ILCS 420/4	from Ch. 127, par. 754
30 ILCS 420/6	from Ch. 127, par. 756
30 ILCS 425/13	from Ch. 127, par. 2813
30 ILCS 430/4	from Ch. 127, par. 3754
30 ILCS 430/5	from Ch. 127, par. 3755
30 ILCS 430/7	from Ch. 127, par. 3757
30 ILCS 435/25	
30 ILCS 575/5	from Ch. 127, par. 132.605
30 ILCS 710/2-2	from Ch. 5, par. 2202-2
30 ILCS 710/2-3	from Ch. 5, par. 2202-3
30 ILCS 710/2-4	from Ch. 5, par. 2202-4
30 ILCS 720/2	from Ch. 85, par. 892
30 ILCS 720/3	from Ch. 85, par. 893
30 ILCS 725/1.2	from Ch. 96 1/2, par. 7303
30 ILCS 730/2	from Ch. 96 1/2, par. 8202
30 ILCS 750/8-2	from Ch. 127, par. 2708-2
30 ILCS 750/9-2	from Ch. 127, par. 2709-2
30 ILCS 750/9-4.1	from Ch. 127, par. 2709-4.1
30 ILCS 750/9-5.1	from Ch. 127, par. 2709-5.1
30 ILCS 750/9-11	
30 ILCS 750/10-2	from Ch. 127, par. 2710-2
30 ILCS 750/11-2	from Ch. 127, par. 2711-2
30 ILCS 755/1	from Ch. 127, par. 3301
30 ILCS 755/2	from Ch. 127, par. 3302
30 ILCS 755/4	from Ch. 127, par. 3304
30 ILCS 780/5-5	
30 ILCS 805/8	from Ch. 85, par. 2208
35 ILCS 5/211	
35 ILCS 10/5-5	
35 ILCS 10/5-25	
35 ILCS 10/5-45	
35 ILCS 105/9	from Ch. 120, par. 439.9
35 ILCS 110/9	from Ch. 120, par. 439.39
35 ILCS 120/1d	from Ch. 120, par. 440d
35 ILCS 120/1f	from Ch. 120, par. 440f
35 ILCS 120/1i	from Ch. 120, par. 440i
35 ILCS 120/1j.1	
35 ILCS 120/1k	from Ch. 120, par. 440k

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35 ILCS 120/1o	
35 ILCS 120/51	from Ch. 120, par. 4441
35 ILCS 173/5-10	
35 ILCS 200/10-5	
35 ILCS 200/18-165	
35 ILCS 200/29-10	
35 ILCS 200/29-15	
35 ILCS 615/1	from Ch. 120, par. 467.16
35 ILCS 620/1	from Ch. 120, par. 468
35 ILCS 630/2	from Ch. 120, par. 2002
35 ILCS 635/10	
35 ILCS 636/5-7	
35 ILCS 640/2-3	
35 ILCS 640/2-4	
40 ILCS 5/14-108.4	from Ch. 108 1/2, par. 14-108.4
40 ILCS 5/14-134	from Ch. 108 1/2, par. 14-134
50 ILCS 15/1	from Ch. 85, par. 1021
50 ILCS 320/5	from Ch. 85, par. 7205
50 ILCS 320/12	from Ch. 85, par. 7212
50 ILCS 330/2	from Ch. 85, par. 802
50 ILCS 750/13	from Ch. 134, par. 43
50 ILCS 805/3	from Ch. 85, par. 5803
50 ILCS 805/8	from Ch. 85, par. 5808
55 ILCS 85/3	from Ch. 34, par. 7003
65 ILCS 5/8-11-2	from Ch. 24, par. 8-11-2
65 ILCS 5/11-31.1-14	from Ch. 24, par. 11-31.1-14
65 ILCS 5/11-48.3-29	from Ch. 24, par. 11-48.3-29
65 ILCS 5/11-74.4-6	from Ch. 24, par. 11-74.4-6
65 ILCS 5/11-74.4-8a	from Ch. 24, par. 11-74.4-8a
65 ILCS 5/11-74.6-10	
70 ILCS 210/10.1	from Ch. 85, par. 1230.1
70 ILCS 210/13.1	from Ch. 85, par. 1233.1
70 ILCS 210/22.1	from Ch. 85, par. 1242.1
70 ILCS 510/4	from Ch. 85, par. 6204
70 ILCS 510/19	from Ch. 85, par. 6219
70 ILCS 515/4	from Ch. 85, par. 6504
70 ILCS 520/4	from Ch. 85, par. 6154
70 ILCS 525/2004	from Ch. 85, par. 7504
70 ILCS 530/4	from Ch. 85, par. 7154
70 ILCS 535/4	from Ch. 85, par. 7454
70 ILCS 1705/14	from Ch. 85, par. 1114
70 ILCS 1705/35	from Ch. 85, par. 1135
70 ILCS 1705/36	from Ch. 85, par. 1136

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70 ILCS 1705/37	from Ch. 85, par. 1137
70 ILCS 1710/5	from Ch. 85, par. 1155
70 ILCS 1710/14	from Ch. 85, par. 1164
70 ILCS 1710/35	from Ch. 85, par. 1185
70 ILCS 1710/37	from Ch. 85, par. 1187
70 ILCS 3615/4.04	from Ch. 111 2/3, par. 704.04
105 ILCS 5/2-3.92	from Ch. 122, par. 2-3.92
105 ILCS 5/10-20.19c	from Ch. 122, par. 10-20.19c
105 ILCS 5/34-18.15	from Ch. 122, par. 34-18.15
105 ILCS 205/3	from Ch. 122, par. 873
105 ILCS 205/5	from Ch. 122, par. 875
105 ILCS 410/1	from Ch. 122, par. 1851
105 ILCS 415/3	from Ch. 122, par. 698.3
105 ILCS 435/2.1	from Ch. 122, par. 697.1
110 ILCS 205/9.12	from Ch. 144, par. 189.12
110 ILCS 205/9.25	
110 ILCS 520/6.6	
110 ILCS 675/20-115	
110 ILCS 920/4	from Ch. 144, par. 2404
110 ILCS 920/5	from Ch. 144, par. 2405
110 ILCS 920/8	from Ch. 144, par. 2408
110 ILCS 947/75	
110 ILCS 979/20	
220 ILCS 5/9-222.1	from Ch. 111 2/3, par. 9-222.1
220 ILCS 5/9-222.1A	
220 ILCS 5/13-301.1	from Ch. 111 2/3, par. 13-301.1
220 ILCS 5/13-301.2	
220 ILCS 5/15-401	
220 ILCS 5/16-111.1	
225 ILCS 720/1.05	from Ch. 96 1/2, par. 7901.05
235 ILCS 5/12-1	
305 ILCS 5/9A-3	from Ch. 23, par. 9A-3
305 ILCS 20/3	from Ch. 111 2/3, par. 1403
305 ILCS 20/4	from Ch. 111 2/3, par. 1404
305 ILCS 20/5	from Ch. 111 2/3, par. 1405
305 ILCS 20/8	from Ch. 111 2/3, par. 1408
305 ILCS 20/13	
305 ILCS 30/5	from Ch. 23, par. 6855
310 ILCS 5/40	from Ch. 67 1/2, par. 190
310 ILCS 10/8.13	from Ch. 67 1/2, par. 8.13
310 ILCS 10/17	from Ch. 67 1/2, par. 17
310 ILCS 20/2	from Ch. 67 1/2, par. 54
310 ILCS 20/3	from Ch. 67 1/2, par. 55

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310 ILCS 20/3a	from Ch. 67 1/2, par. 55a
310 ILCS 20/3b	from Ch. 67 1/2, par. 55b
310 ILCS 20/5	from Ch. 67 1/2, par. 57
310 ILCS 20/8	from Ch. 67 1/2, par. 60
310 ILCS 20/9a	from Ch. 67 1/2, par. 61a
310 ILCS 20/10	from Ch. 67 1/2, par. 62
310 ILCS 30/2	from Ch. 67 1/2, par. 93
310 ILCS 65/6	from Ch. 67 1/2, par. 1256
310 ILCS 65/16	from Ch. 67 1/2, par. 1266
315 ILCS 5/3	from Ch. 67 1/2, par. 65
315 ILCS 10/3	from Ch. 67 1/2, par. 91.3
315 ILCS 25/4	from Ch. 67 1/2, par. 91.11
315 ILCS 30/5	from Ch. 67 1/2, par. 91.105
315 ILCS 30/16	from Ch. 67 1/2, par. 91.116
315 ILCS 30/17	from Ch. 67 1/2, par. 91.117
315 ILCS 30/31	from Ch. 67 1/2, par. 91.131
320 ILCS 35/50	from Ch. 23, par. 6801-50
320 ILCS 35/60	from Ch. 23, par. 6801-60
325 ILCS 25/1	from Ch. 23, par. 6551
405 ILCS 80/10-5	
415 ILCS 5/3.180	was 415 ILCS 5/3.07
415 ILCS 5/6.1	from Ch. 111 1/2, par. 1006.1
415 ILCS 5/21.6	from Ch. 111 1/2, par. 1021.6
415 ILCS 5/22.16b	from Ch. 111 1/2, par. 1022.16b
415 ILCS 5/22.23	from Ch. 111 1/2, par. 1022.23
415 ILCS 5/27	from Ch. 111 1/2, par. 1027
415 ILCS 5/55	from Ch. 111 1/2, par. 1055
415 ILCS 5/55.3	from Ch. 111 1/2, par. 1055.3
415 ILCS 5/55.7	from Ch. 111 1/2, par. 1055.7
415 ILCS 5/58.14	
415 ILCS 5/58.15	
415 ILCS 15/3	from Ch. 85, par. 5953
415 ILCS 20/2.1	from Ch. 111 1/2, par. 7052.1
415 ILCS 20/3	from Ch. 111 1/2, par. 7053
415 ILCS 20/3.1	from Ch. 111 1/2, par. 7053.1
415 ILCS 20/5	from Ch. 111 1/2, par. 7055
415 ILCS 20/6a	from Ch. 111 1/2, par. 7056a
415 ILCS 20/7	from Ch. 111 1/2, par. 7057
415 ILCS 55/4	from Ch. 111 1/2, par. 7454
415 ILCS 80/2	from Ch. 111 1/2, par. 7902
415 ILCS 110/2002.50	from Ch. 96 1/2, par. 9752.50
415 ILCS 120/15	
415 ILCS 120/21	

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415 ILCS 120/25
415 ILCS 120/32
415 ILCS 120/40
415 ILCS 130/20
430 ILCS 40/6 from Ch. 111 1/2, par. 296
505 ILCS 5/20.1 from Ch. 5, par. 1020.1
505 ILCS 45/2b from Ch. 5, par. 242b
505 ILCS 75/3 from Ch. 5, par. 1303
525 ILCS 15/6a from Ch. 96 1/2, par. 9106a
525 ILCS 50/5 from Ch. 48, par. 2555
605 ILCS 30/4 from Ch. 121, par. 604
620 ILCS 5/34b
735 ILCS 5/7-103.3
775 ILCS 5/2-105 from Ch. 68, par. 2-105
815 ILCS 355/1 from Ch. 96 1/2, par. 9551
815 ILCS 440/2.8 from Ch. 96 1/2, par. 7702.8
815 ILCS 440/6 from Ch. 96 1/2, par. 7706
820 ILCS 405/2103 from Ch. 48, par. 663

Makes revisory changes to numerous Acts to conform them to Public Act 93-25, which renamed the Bureau of the Budget as the Governor's Office of Management and Budget and renamed the Department of Commerce and Community Affairs as the Department of Commerce and Economic Opportunity. Makes no substantive change. Effective immediately.

May 19 06 S Public Act 94-0793

SB 02909 Sen. Ira I. Silverstein
(Rep. John A. Fritchey)

225 ILCS 120/25 from Ch. 111, par. 8301-25
225 ILCS 120/50 from Ch. 111, par. 8301-50

Amends the Wholesale Drug Distribution Act. Provides that an applicant for temporary licensure must meet the inspection requirements for regular licensure before the temporary license shall be granted. Removes a provision that requires the Department of Financial and Professional Regulation to employ an Assistant Drug Compliance Coordinator to assist the Drug Compliance Coordinator in administering and enforcing the Act.

Jun 27 06 S Public Act 94-0942

SB 02913 Sen. Donne E. Trotter-Mattie Hunter-Iris Y. Martinez, Dale E. Risinger-Susan Garrett-Jacqueline Y. Collins, Steven J. Rauschenberger and James T. Meeks
(Rep. Elizabeth Coulson-Roger Jenisch-Patricia R. Bellock-James H. Meyer-Mary E. Flowers, Naomi D. Jakobsson, Monique D. Davis, Ronald A. Wait, Renee Kosel and Sandra M. Pihos)

325 ILCS 2/10
325 ILCS 2/60

Amends the Abandoned Newborn Infant Protection Act. Provides that "newborn infant" means a child who a licensed physician reasonably believes is 7 days (instead of 72 hours) old or less at the time the child is initially relinquished to a hospital or other authorized facility. Makes conforming changes in the definition of "relinquish" and in a provision concerning a public information program by the Department of Children and Family Services. Effective immediately.

Jun 26 06 S Public Act 94-0941

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SB 02915 Sen. William R. Haine-Gary Forby-Mike Jacobs, Deanna Demuzio, James F. Clayborne, Jr. and Mattie Hunter
 (Rep. Roger L. Eddy-Robert F. Flider-Jim Watson, Jack D. Franks, Linda Chapa LaVia, John E. Bradley, Brandon W. Phelps,
 Wyvetter H. Younge, William Davis, Daniel V. Beiser, Kenneth Dunkin, Kurt M. Granberg, Lisa M. Dugan, Donald L.
 Moffitt, Jim Sacia, Sidney H. Mathias, Mike Boland and Michael K. Smith)

New Act

Creates the Methamphetamine Manufacturer Registry Act. Provides that the Department of State Police shall establish and maintain a Methamphetamine Manufacturer Database for the purpose of identifying methamphetamine manufacturers and making that information available to law enforcement and the general public. Provides that the Department of State Police must make the information contained in the Statewide Methamphetamine Manufacturer Database accessible on the Internet by means of a hyperlink labeled "Methamphetamine Manufacturer Information" on the Department's World Wide Web home page. Provides that the Department of State Police must update that information as it deems necessary. Provides that the Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement these provisions and those rules must include procedures to ensure that the information in the database is accurate, and that the information in the database reflects any changes based on the reversal of a conviction for an offense requiring inclusion in the Methamphetamine Manufacturer Database, or a court order requiring the sealing or expungement of records relating to the offense. Effective immediately.

Jun 05 06 S Public Act 94-0831

SB 02921 Sen. Mattie Hunter-Pamela J. Althoff
 (Rep. Arthur L. Turner)

20 ILCS 2105/2105-400

20 ILCS 2310/2310-625

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois and the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. In a Section allowing the Director of Professional Regulation to suspend certain licensing requirements after the proclamation of a disaster by the Governor for persons working under the direction of and emergency services and disaster agency accredited by the Illinois Emergency Management Agency (IEMA) and the Department of Public Health, provides that persons working under the direction of an emergency services and disaster agency accredited by the Illinois Emergency Management Agency and a local public health department pursuant to a declared disaster shall be deemed to be working under the direction of the Illinois Emergency Management Agency and the Department of Public Health. Makes the same change to a Section allowing similar license suspension powers to the Director of Public Health. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

20 ILCS 3305/10

from Ch. 127, par. 1060

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced. Provides that volunteers who are working under the direction of an emergency services and disaster agency accredited by the Illinois Emergency Management Agency, pursuant to a plan approved by the Illinois Emergency Management Agency (i) during a disaster declared by the Governor under Section 7 of this Act, or (ii) in circumstances otherwise expressly approved by the Illinois Emergency Management Agency, shall be deemed exclusively employees of the State for purposes of Section 8(d) of the Court of Claims Act, provided that the Illinois Emergency Management Agency may, in coordination with the emergency services and disaster agency, audit implementation for compliance with the plan. Effective immediately.

Senate Floor Amendment No. 2

Makes technical corrections in the names of the Secretary of Financial and Professional Regulation and the Department of Financial and Professional Regulation.

Apr 27 06 S Public Act 94-0733

SB 02931 Sen. Don Harmon-Mattie Hunter, Christine Radogno and Edward D. Maloney
(Rep. Harry Osterman-Barbara Flynn Currie-Julie Hamos-Edward J. Acevedo, Carolyn H. Krause, Thomas Holbrook,
Michael K. Smith, Wyvetter H. Younge and Careen M Gordon)

20 ILCS 605/605-430 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Authorizes the Department of Commerce and Economic Opportunity to establish and maintain a pilot program to provide for and test the use of lifelong learning accounts for workers in the State's healthcare sector. Sets forth requirements for the program, including matching grants for employer and employee contributions into an employee's lifelong learning account. Provides that the program is discretionary on the part of the Department and is subject to appropriation. Effective immediately.

House Amendment No. 1

With respect to the pilot program for lifelong learning accounts, provides that the participation in the pilot program by healthcare employers is voluntary.

Jul 03 06 S Public Act 94-1006

SB 02936 Sen. Carol Ronen
(Rep. Karen May-Jack D. Franks-Linda Chapa LaVia-Mary E. Flowers-Constance A. Howard, Elizabeth Coulson, Naomi D. Jakobsson, Patricia R. Bellock, William Delgado, Roger Jenisch, Annazette Collins, Robert Rita, Elaine Nekritz, Barbara Flynn Currie, Harry Osterman, Cynthia Soto, Susana A Mendoza, Maria Antonia Berrios, Edward J. Acevedo, Karen A. Yarbrough and Esther Golar)

New Act

Creates the Ryan White Fund Validation Act. Validates actions taken and grants made under a Section of the Communicable Disease Prevention Act relating to the Ryan White Pediatric and Adult AIDS Fund (now repealed). That Section was created by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Effective immediately.

Jun 27 06 S Public Act 94-0959

SB 02951 Sen. Susan Garrett
(Rep. Randall M. Hultgren)

20 ILCS 3501/845-75

Validates actions taken under the Illinois Research Park Authority Act (now repealed). That Act was created by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Affirms obligations arising under any bonds issued or contracts made under powers purportedly derived directly or indirectly from the Illinois Research Park Authority Act. Amends the Illinois Finance Authority Act to explicitly authorize the exercise of functions purportedly transferred from the Illinois Research Park Authority to the Illinois Finance Authority. Effective immediately.

Jun 27 06 S Public Act 94-0960

SB 02952 Sen. Susan Garrett
(Rep. Sidney H. Mathias-Paul D. Froehlich)

20 ILCS 1128/5-1

20 ILCS 1128/5-5

20 ILCS 1128/5-10

20 ILCS 1128/5-15

20 ILCS 1128/5-20

20 ILCS 1128/5-25

20 ILCS 1128/5-30

Re-enacts and amends the Illinois Geographic Information Council Act. The Act was created by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Includes validation provisions. Also makes revisory changes. Effective immediately.

Jun 27 06 S Public Act 94-0961

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SB 02954 Sen. John J. Cullerton-John O. Jones, Dave Syverson and Cheryl Axley
(Rep. Paul D. Froehlich-Linda Chapa LaVia-Eddie Washington-Constance A. Howard-David Reis, John E. Bradley, Jack D. Franks and Sidney H. Mathias)

720 ILCS 5/36-1	from Ch. 38, par. 36-1
730 ILCS 5/3-7-6	from Ch. 38, par. 1003-7-6
730 ILCS 5/3-12-2	from Ch. 38, par. 1003-12-2
730 ILCS 5/3-12-5	from Ch. 38, par. 1003-12-5

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Re-enacts provisions of those Codes affected by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Includes validation provisions. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

720 ILCS 5/31A-1.1	from Ch. 38, par. 31A-1.1
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Adds reference to:

720 ILCS 5/31A-1.2	from Ch. 38, par. 31A-1.2
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Further amends the Criminal Code of 1961. Re-enacts the provisions of Public Act 89-688 relating to bringing contraband into a penal institution; possessing contraband in a penal institution; and unauthorized bringing of contraband into a penal institution by an employee. (Public Act 89-688 was held unconstitutional as violating the single subject clause of the Illinois Constitution). Effective immediately.

Jul 07 06 S Public Act 94-1017

SB 02962 Sen. Edward Petka-Jacqueline Y. Collins
(Rep. Robert F. Flider-Daniel V. Beiser-Mike Boland-Lisa M. Dugan-Jack D. Franks and Linda Chapa LaVia)

625 ILCS 5/6-205 from Ch. 95 1/2, par. 6-205
625 ILCS 5/6-303 from Ch. 95 1/2, par. 6-303
730 ILCS 5/5-5-3 from Ch. 38, par. 1005-5-3

Amends the Illinois Vehicle Code and the Unified Code of Corrections. Provides that the Secretary of State shall immediately revoke the license, permit, or driving privileges of any driver upon receiving a report of the driver's conviction for a sex offense defined in the Sex Offender Registration Act and upon a showing of the person's records or other sufficient evidence that the person failed to comply with the annual renewal provisions established by the Secretary of State. Provides that a person who drives a motor vehicle upon such revocation is guilty of a Class A misdemeanor. Provides that the Secretary of State shall revoke the driver's license or permit of a driver who is a convicted sex offender who fails to renew the license or permit on an annual basis.

Senate Committee Amendment No. 1

Provides that the Secretary of State shall immediately suspend (rather than revoke) the license, permit, or driving privileges of any driver upon receiving a report of the driver's conviction for a sex offense defined in the Sex Offender Registration Act or (rather than and) upon a showing of the person's records or other sufficient evidence that the person failed to comply with the annual renewal provisions established by the Secretary of State.

Senate Floor Amendment No. 2

Deletes reference to:

625 ILCS 5/6-205

Deletes reference to:

625 ILCS 5/6-303

Adds reference to:

625 ILCS 5/6-101 from Ch. 95 1/2, par. 6-101

Adds reference to:

625 ILCS 5/6-115 from Ch. 95 1/2, par. 6-115

Adds reference to:

625 ILCS 5/6-201 from Ch. 95 1/2, par. 6-201

Adds reference to:

625 ILCS 5/6-206 from Ch. 95 1/2, par. 6-206

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code and the Sex Offender Registration Act. Provides that any person who drives without a license or permit is guilty of a Class A misdemeanor, if at the time of the violation the person's driver's license or permit was cancelled because the person failed to register as a sex offender. Provides that a driver's license issued to a person convicted of a sex offense shall expire 12 months from the date of issuance. Effective January 1, 2007.

House Amendment No. 1

Further amends the Illinois Vehicle Code by removing language authorizing the Secretary of State to suspend or revoke the driving privileges without a preliminary hearing of any person who has failed to comply with the annual renewal provisions for driver's licenses issued to sex offenders.

Jul 03 06 S Public Act 94-0993

SB 02967 Sen. Larry K. Bomke-George P. Shadid
(Rep. Rich Brauer-Aaron Schock-Raymond Poe)

730 ILCS 125/17 from Ch. 75, par. 117

Amends the County Jail Act. Provides that if a prisoner in a county jail is (rather than already has been determined) eligible for medical assistance under the Illinois Public Aid Code at the time the person is initially detained pending trial, the cost of such services, to the extent such cost exceeds \$500, shall be reimbursed by the Department of Healthcare and Family Services. Provides that "medical expenses relating to the arrestee" do not include those expenses incurred for medical care or treatment provided to the arrestee because of a self-inflicted injury.

Senate Floor Amendment No. 1

Restores provision that the Department of Healthcare and Family Services shall reimburse the county for medical or hospital services provided to the prisoner if the costs of such services exceed \$500 if the prisoner has already been determined eligible for medical assistance under the Illinois Public Aid Code.

Jun 27 06 S Public Act 94-0962

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02968 Sen. Dan Cronin-M. Maggie Crotty-Christine Radogno-Iris Y. Martinez-John J. Millner, Edward D. Maloney and Pamela J. Althoff

(Rep. Sandra M. Pihos-Roger L. Eddy-Kevin A. McCarthy-JoAnn D. Osmond-Donald L. Moffitt, Randall M. Hultgren, Michael K. Smith, Elaine Nekritz, Suzanne Bassi, Mike Boland, James D. Brosnahan, Richard T. Bradley, Kevin Joyce, Joseph M. Lyons, Robert Rita, Calvin L. Giles, Robin Kelly, Elizabeth Coulson and Patricia R. Bellock)

745 ILCS 49/27 new

Amends the Good Samaritan Act. Provides immunity against criminal liability, civil damages, or medical malpractice damages for any acts or omissions, for any physician licensed under the Medical Practice Act of 1987 to practice medicine in all its branches or licensed to practice the treatment of human ailments in any other state or territory of the United States; any dental emergency responder; any licensed nurse; any licensed physicians assistant; any licensed EMT-Basic, EMT-Intermediate, or EMT-Paramedic; and any First Responder who provides volunteer Tactical Emergency Medical Support (TEMS) services to any person or animal in any law enforcement incident or training situation, or any other law enforcement related situation, including disasters, in civil unrest, or methamphetamine lab interdiction.

Senate Committee Amendment No. 1

Further amends the Good Samaritan Act. Provides that no medical provider listed in this Section shall be liable for any civil damages or medical malpractice damages (previously, also included liability for criminal prosecution) as a result of any act or omission, except for willful and wanton misconduct (previously, did not provide this exception), by that person in rendering those services. Changes reference to licensed physician (rather than, physician licensed to practice medicine in all its branches).

Senate Floor Amendment No. 2

Deletes reference to:

745 ILCS 49/27 new

Adds reference to:

745 ILCS 49/70

Deletes everything after the enacting clause. Amends the Good Samaritan Act. Provides for immunity from civil damages for emergency medical technicians and first responders, as those terms are defined in the Emergency Medical Services (EMS) Systems Act (in addition to law enforcement officers and firemen), who provide emergency care in good faith without fee or compensation (instead of only without fee).

Jun 02 06 S Public Act 94-0826

SB 02971 Sen. Peter J. Roskam-Iris Y. Martinez

(Rep. Jim Sacia-Harry Osterman-Patricia R. Bellock-Donald L. Moffitt-Randall M. Hultgren)

720 ILCS 5/32-5 from Ch. 38, par. 32-5

720 ILCS 5/32-5.2 from Ch. 38, par. 32-5.2

730 ILCS 5/5-8-4 from Ch. 38, par. 1005-8-4

Amends the Criminal Code of 1961. Provides that a person who falsely represents himself or herself to be an official or employee of the federal government commits a Class B misdemeanor. Increases the penalty for aggravated false personation of a peace officer from a Class 3 felony to a Class 2 felony. Provides that if the false personation of a peace officer occurred in attempting or committing a forcible felony, the penalty is a Class X felony. Amends the Unified Code of Corrections. Provides that if the false personation of a peace officer occurred in attempting or committing a forcible felony, the defendant shall serve a consecutive sentence.

Senate Floor Amendment No. 1

Provides that the sentence for knowingly and falsely representing oneself to be a peace officer of any jurisdiction in attempting or committing a forcible felony is a Class 1 (rather than a Class X) felony. Provides that the court may (rather than shall) impose consecutive sentences when this offense is committed with other offenses.

Jun 30 06 S Public Act 94-0985

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 02985 Sen. John J. Cullerton-Adeline Jay Geo-Karis-Kirk W. Dillard-Kwame Raoul
(Rep. Susana A Mendoza-Randall M. Hultgren-John E. Bradley-Mike Boland, Lisa M. Dugan, Robert F. Flider, Careen M Gordon, Ronald A. Wait, Donald L. Moffitt and Linda Chapa LaVia)

730 ILCS 5/5-4-3 from Ch. 38, par. 1005-4-3

730 ILCS 5/5-4-3a

Amends the Unified Code of Corrections. Provides that a person convicted or found guilty of any offense requiring registration under the Sex Offender Registration Act or convicted or found guilty of, under the Juvenile Court Act of 1987, any offense requiring registration under the Sex Offender Registration Act shall submit samples of blood, saliva, or tissue to the Department of State Police for analysis and categorizing into genetic marker groupings. Provides that on or before February 1 of each year, the Department of State Police shall report to the Governor and both houses of the General Assembly all evidence awaiting testing or DNA analysis, including whether such evidence is in the physical custody of the Department of State Police or awaiting submission to the Department State Police, to the extent that the Department of State Police has notice of such evidence; and the number of convicted persons in Illinois eligible to have their DNA profile entered into the convicted offender database whose DNA profile has not yet been entered into the convicted offender database.

House Amendment No. 1

Provides that the annual report to the Governor and both houses of the General Assembly by the Department of State Police concerning the criminal DNA analysis includes all cases awaiting forensic testing whether in the physical custody of the State Police or in the physical custody of local law enforcement, provided that the State Police have notice of any evidence in the physical custody of local law enforcement. Provides that the report shall be made before August 1 (rather than February 1) of each year. Provides that the report of the backlog shall include tests performed as of June 30 of the previous fiscal year (rather than December 31 of the previous year). Provides that the State Police must have written notice of evidence in the physical custody of local law enforcement prior to June 1 of that year in order for that information to be included in the report of the backlog.

Jul 07 06 S Public Act 94-1018

SB 02998 Sen. Ira I. Silverstein
(Rep. Lou Lang)

230 ILCS 30/2	from Ch. 120, par. 1122
230 ILCS 30/4	from Ch. 120, par. 1124
230 ILCS 30/5	from Ch. 120, par. 1125
230 ILCS 30/5.1	from Ch. 120, par. 1125.1
230 ILCS 30/6	from Ch. 120, par. 1126
230 ILCS 30/7	from Ch. 120, par. 1127
230 ILCS 30/8	from Ch. 120, par. 1128
230 ILCS 30/10	from Ch. 120, par. 1130
230 ILCS 30/11	from Ch. 120, par. 1131
230 ILCS 30/12	from Ch. 120, par. 1132

Amends the Charitable Games Act. Re-enacts provisions of that Act affected by Public Act 88-669, which has been held to be unconstitutional as a violation of the single subject clause of the Illinois Constitution. Includes validation provisions. Effective immediately.

Fiscal Note (Department of Revenue)

SB2998 would protect the State's ability to collect approximately \$37,500 to \$75,000 in tax revenue.

Jun 30 06 S Public Act 94-0986

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 03010 Sen. John J. Cullerton and William R. Haine-Jacqueline Y. Collins
 (Rep. Sara Feigenholtz-Karen A. Yarbrough-Harry Osterman, Robin Kelly and Barbara Flynn Currie)

210 ILCS 30/6.2 from Ch. 111 1/2, par. 4166.2

Amends the Abused and Neglected Long Term Care Facility Residents Reporting Act. Provides that a person required to make reports of allegations of abuse or neglect under the Act or cause such reports to be made, as provided in rules, who willfully fails to comply with those reporting requirements is guilty of a Class A misdemeanor. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

210 ILCS 30/4 from Ch. 111 1/2, par. 4164

Further amends the Abused and Neglected Long Term Care Facility Residents Reporting Act. In the list of mandated reporters, replaces "Christian Science practitioner" with "accredited religious practitioner who provides treatment by spiritual means alone through prayer in accordance with the tenets and practices of the accrediting church (except as to information received in any confession or sacred communication enjoined by the discipline of the accrediting church to be held confidential)". Replaces the introduced bill's amendatory changes to the Act concerning a failure to comply with the reporting requirements. Defines a "required reporter" as a person who suspects, witnesses, or is informed of an allegation of abuse or neglect at a State-operated facility or a community agency and who is either: (i) a person employed at a State-operated facility or a community agency who is providing or monitoring services to an individual or individuals or is providing services to the State-operated facility or the community agency; or (ii) any person or contractual agent of the Department of Human Services involved in providing, monitoring, or administering mental health or developmental disability services. Provides that "required reporter" does not, however, include an accredited religious practitioner who provides treatment by spiritual means alone through prayer, to the extent that such a practitioner receives information concerning an allegation of abuse or neglect in any confession or sacred communication enjoined by the discipline of the accrediting church to be held confidential. Provides that a required reporter must report an allegation of abuse or neglect, or cause a report to be made, to the Department of Human Services Office of the Inspector General (OIG) Hotline no later than 4 hours after the initial discovery of the incident of alleged abuse or neglect. Provides that a required reporter who willfully fails to comply with the reporting requirement is guilty of a Class A misdemeanor. Defines "State-operated facility" and "community agency".

House Amendment No. 1

In amendatory provisions concerning a religious practitioner's duty to report suspected long-term care abuse or neglect, deletes an exception concerning information received in a confession or similar communication. In amendatory provisions concerning persons required to report suspected abuse or neglect to the Inspector General, deletes a provision that "required reporter" does not include an accredited religious practitioner who provides treatment by spiritual means alone through prayer.

Jun 13 06 S Public Act 94-0853

SB 03011 Sen. Arthur J. Wilhelmi
 (Rep. Michael K. Smith)

430 ILCS 75/2a from Ch. 111 1/2, par. 3202a

430 ILCS 75/2b from Ch. 111 1/2, par. 3202b

430 ILCS 75/4 from Ch. 111 1/2, par. 3205

430 ILCS 75/5 from Ch. 111 1/2, par. 3206

430 ILCS 75/8 from Ch. 111 1/2, par. 3209

430 ILCS 75/10 from Ch. 111 1/2, par. 3211

430 ILCS 75/11 from Ch. 111 1/2, par. 3212

430 ILCS 75/15 from Ch. 111 1/2, par. 3216

430 ILCS 75/14 rep.

Amends the Boiler and Pressure Vessel Safety Act. Replaces references to the Department of Nuclear Safety with the Illinois Emergency Management Agency. Removes references to pressure vessels containing the API ASME Code symbol in the determination of maximum and minimum operating temperatures of a pressure vessel by using the applicable section of the ASME Code. Exempts all pressure vessels containing liquified petroleum regulated by the Liquified Petroleum Regulation Act. Exempts the listed types of hot water boilers, pressure vessels, and water conditioning equipment from the inspection and certification process under the Act. Changes the time limit for filing reports concerning boiler or pressure vessel certificate inspections and owner-user certificate inspections to 10 days (from 30 days). Provides that the inspection reports may be filed electronically. Repeals the Section requiring the Chief and Deputy Inspectors to furnish bonds. Makes other changes. Effective immediately.

May 08 06 S Public Act 94-0748

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 03016 Sen. Kirk W. Dillard-John O. Jones-Dan Cronin-Christine Radogno-Dale E. Risinger, Larry K. Bomke, Adeline Jay Geo-Karis, William E. Peterson, Wendell E. Jones, Pamela J. Althoff, Chris Lauzen, William R. Haine, Jacqueline Y. Collins and Don Harmon

(Rep. Kurt M. Granberg-Aaron Schock-Patricia R. Bellock-John E. Bradley-Thomas Holbrook, Lisa M. Dugan, Robert F. Flider, Careen M Gordon, Daniel V. Beiser, Jack D. Franks, Linda Chapa LaVia and Michael K. Smith)

730 ILCS 150/3 from Ch. 38, par. 223

730 ILCS 150/6 from Ch. 38, par. 226

730 ILCS 152/115

730 ILCS 152/120

Amends the Sex Offender Registration Act. Requires that the information submitted by the sex offender at the time of registration shall include whether the victim and the sex offender knew each other at the time of the commission of the offense, county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, and any distinguishing marks located on the body of the sex offender. Requires sex offenders who were required to register annually to register every 90 days. Amends the Sex Offender and Child Murderer Community Notification Law. Provides that the Department of State Police must make the information contained in the Statewide Sex Offender Database searchable by a 5-mile radius from the sex offender's home or school attended. Requires a principal or teacher of a public or private elementary or secondary school to notify the parents of children attending the school during school registration or during parent-teacher conferences that information about sex offenders is available to the public as provided in the Act.

Senate Floor Amendment No. 1

Provides that a person who is required to register as a sex offender under the Sex Offender Registration Act shall report to the law enforcement agency with whom he or she last registered within 180 (rather than 90) days from the date of last registration and every 180 (rather than 90) days thereafter. Eliminates the 4 times a year limitation on the number of times the sex offender must appear at the law enforcement agency.

House Amendment No. 1

Deletes reference to:

730 ILCS 150/6

Provides that the sex offender information shall include the age of the sex offender at the time of the commission of the offense and the age of the victim at the time of the commission of the offense. Deletes new provision that the sex offender information shall include whether the sex offender and the victim knew each other at the time of the commission of the offense. Provides that the Department of State Police must make the information contained in the Statewide Sex Offender Database searchable via a mapping system which identifies registered sex offenders living within 5 miles of an identified address (rather than living within a 5-mile radius from the sex offender's home or school attended). Restores provision that a sex offender, other than a sexually dangerous or sexually violent person and other than a sex offender who lacks a fixed residence, shall report in person to the law enforcement agency with whom he or she last registered within one year from the date of last registration and every year thereafter and at such other times at the request of the law enforcement agency not to exceed 4 times a year.

Jul 03 06 S Public Act 94-0994

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 03018 Sen. John J. Cullerton, William R. Haine-Iris Y. Martinez and Deanna Demuzio-Jacqueline Y. Collins
(Rep. Linda Chapa LaVia-Jack D. Franks-Susana A Mendoza, Lisa M. Dugan and Careen M Gordon)

720 ILCS 5/11-9.5 new

Amends the Criminal Code of 1961. Creates the offense of sexual misconduct with a person with a disability. Provides that a person commits the offense when: (1) he or she is an employee and knowingly engages in sexual conduct or sexual penetration with a person with a disability who is under the care and custody of the Department of Human Services at a State-operated facility; or (2) he or she is an employee of a community agency funded by the Department of Human Services and knowingly engages in sexual conduct or sexual penetration with a person with a disability who is receiving services from the community agency. Provides that sexual misconduct with a person with a disability is a Class 3 felony. Provides that any person convicted of the offense shall immediately forfeit his or her employment with the State or the community agency. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

225 ILCS 46/25

Adds reference to:

730 ILCS 150/2

from Ch. 38, par. 222

Amends the Health Care Worker Background Check Act. Includes in the prohibition of employing, hiring, or retaining for work involving direct care for clients, patients, or residents of a health care facility, those persons who have been convicted of sexual misconduct with a person with a disability or an attempt to commit that offense. Amends the Sex Offender Registration Act. Includes in the definition of "sex offense", sexual misconduct with a person with a disability.

House Amendment No. 2

For purposes of the new offense of sexual misconduct with a person with a disability: (1) eliminates from the definition of a person with a disability, a person who suffers from a permanent physical or mental impairment resulting from disease, injury, functional disorder, or congenital condition that impairs the individual's mental or physical ability to independently manage his or her property or financial resources, or both; (2) defines community agency as an entity or program providing only residential mental health or developmental disabilities services that meets the other requirements in the bill; and (3) provides that the offense can only be committed against a person with a disability who is in a residential program operated or supervised by a community agency.

Jun 01 06 S Sent to the Governor

SB 03046 Sen. M. Maggie Crotty-Dale E. Risinger, Pamela J. Althoff and Edward D. Maloney-George P. Shadid-Christine Radogno
(Rep. Renee Kosel-Aaron Schock and Naomi D. Jakobsson)

65 ILCS 5/11-124-5.1 new

Amends the Illinois Municipal Code. Sets forth procedures by which municipalities may acquire water systems by eminent domain. Provides that the Illinois Commerce Commission has no approval authority of any eminent domain action brought by any governmental entity or combination of such entities to acquire water systems or water works.

Senate Floor Amendment No. 1

Adds reference to:

5 ILCS 220/3.1 from Ch. 127, par. 743.1

Adds reference to:

65 ILCS 5/11-124-5 new

Adds reference to:

735 ILCS 5/7-102 from Ch. 110, par. 7-102

Deletes everything after the enacting clause. Amends the Intergovernmental Cooperation Act. Provides that any body corporate and politic may establish a Municipal Joint Action Water Agency. Deletes a requirement that the water supply may only be derived from Lake Michigan, the Mississippi River, the Missouri River, or the Sangamon River Valley Alluvium. Amends the Illinois Municipal Code. Sets forth procedures by which municipalities may acquire water systems by eminent domain. Amends the Code of Civil Procedure. Provides that eminent domain actions to acquire property under certain Divisions of the Illinois Municipal Code, to acquire property for the purposes of a Municipal Joint Action Water Agency under the Intergovernmental Cooperation Act, or to acquire property that is a water system or waterworks pursuant to the home rule powers of a unit of local government need not have prior approval by the Illinois Commerce Commission.

Senate Floor Amendment No. 2

Provides that, in determining just compensation for a water system or waterworks system in an eminent domain action, the court may (instead of "must") consider the amount of any land donations, impact fees, or similar payments by parties other than the utility used in the construction of the system or waterworks.

Fiscal Note (Department of Commerce and Economic Opportunity)

SB 3046 does not impact State finances. The bill would only impact municipalities serviced by private water companies. It can be assumed that most affected municipalities could operate the systems in a manner that would likely produce cost savings for private water customers. SB 3046 would require municipalities that choose to exercise the authority gained by the bill to consider the following: (1) The evaluation of financial and other records of a company to determine the feasibility of the purchase, which would likely require the contracting of consultants; (2) The valuation language may require the municipality to reimburse the water company for the replacement cost of the equipment and other facilities purchased, even if the equipment or facilities are decades old. Based on these factors, the cost to municipalities would vary across the State. Therefore, to the extent that SB 3046 impact local revenue, a fiscal impact cannot be estimated at this time.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as engrossed with the following changes: In the Intergovernmental Cooperation Act, provides that a State university (instead of a body corporate and politic) may participate in a Municipal Joint Action Water Agency. In the Illinois Municipal Code, provides that a municipality may acquire, by eminent domain, all or part of a water system (instead of the entirety of the water system). Provides that the acquiring municipality or public entity must supply service and supply to persons who are customers of the system on the effective date of this amendatory Act (now, must supply to service to all retail customers). Provides that the acquiring municipality or public entity must honor the terms of any supply contract existing of the effective date of this amendatory Act unless that contract conflicts with another existing supply contract. Makes changes to the procedures concerning a municipality's inspections of the utility's assets and records and provides that the municipality must, upon request, reimburse the utility for the actual, reasonable costs and expenses, excluding attorneys' fees, incurred by the utility as a result of the municipality's inspection and requests for information. Deletes provisions concerning the valuation of the water system. Makes other changes.

House Amendment No. 2

In the Illinois Municipal Code, provides that the Section authorizing the condemnation of the water system does not apply to any public utility company that, on January 1, 2006, supplied a total of 70,000 or fewer meter connections in the State unless and until (i) that public utility company receives approval from the Illinois Commerce Commission for the reorganization of the public utility company or (ii) the majority control of the company changes through a stock sale, a sale of assets, a merger (other than an internal reorganization) or otherwise.

House Amendment No. 3

SB 03046 (CONTINUED)

Adds reference to:

220 ILCS 5/7-213 new

Amends the Public Utilities Act. Provides that, in the event of a sale, purchase, or any other transfer of ownership, including the acquisition by eminent domain, of a water system, operated by a privately-held public water utility, the water utility's contract or agreements with the acquiring entity (or, in the case of an eminent domain action, the court order) must require that the acquiring entity hire a sufficient number of non-supervisory employees to operate and maintain the water system by initially making offers of employment, for a duration of at least 30 months, to the non-supervisory workforce of the water system at no less than the wage rates, and substantially equivalent fringe benefits and terms and conditions of employment that are in effect at the time of transfer of ownership of the water system. Requires that before any reduction in the workforce during a water system transaction, the privately-held public water utility shall present to the employees, or their representatives, a transition plan outlining the means by which the utility intends to mitigate the impact of the workforce reduction of its employees.

Pension Note (H-AM 1,2,3)(Comm on Gov't Forecasting & Account)

SB 3046 (H-AM 1,2,3) will not have any impact on any state-funded pension fund or retirement system in Illinois.

Judicial Note (H-AM 1,2,3)(Admin Office of the Illinois Courts)

It has been determined that this legislation would neither increase nor decrease the number of judges needed in the State.

State Debt Impact Note (H-AM 1,2,3) (Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore would not affect the level of State indebtedness.

Land Conveyance Appraisal Note (H-AM 1,2,3) (Dept. of Transportation)

As there are no parcels of land being conveyed in this bill, there are no appraisals to be filled by the Department of Transportation.

Housing Affordability Impact Note (H-AM 1,2,3) (Housing Development Authority)

Insufficient information to determine a fiscal effect.

Fiscal Note (H-AM 1,2,3) (Dept of Commerce and Econ Opportunity)

SB 3046 (H-AM 1,2,3) does not impact State finances. The legislation would only impact municipalities serviced by private water companies. It can be assumed that most affected municipalities could operate in a manner that would likely produce cost savings for private water customers. SB 3046, as amended, would require municipalities that choose to exercise the authority granted by the bill to consider: (1) The evaluation of financial and other records of a company to determine the feasibility of the purchase, which would likely require the contracting of consultants; (2) The valuation language may require the municipality to reimburse the water company for the replacement cost of the equipment and other facilities purchased, even if the equipment or facilities are decades old. Based on these factors, the cost to municipalities would vary across the State. Therefore, to the extent that SB 3046 (H-AM 1,2,3) impacts local revenue, a fiscal impact cannot be estimated at this time.

State Mandates Fiscal Note (H-AM 1,2,3) (Dept of Commerce and Econ Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 3046 (H-AM 1,2,3) does not create a state mandate under the State Mandates Act.

Home Rule Note (H-AM 1,2,3) (Dept of Commerce and Econ Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, SB 3046 (H-AM 1,2,3) does not pre-empt home rule authority.

Jul 03 06 S Public Act 94-1007

SB 03062 Sen. William R. Haine

(Rep. Barbara Flynn Currie-Robert W. Pritchard-Patricia R. Bellock)

5 ILCS 80/4.17

5 ILCS 80/4.18

Amends the Regulatory Sunset Act. Changes the repeal date of the Structural Pest Control Act from January 1, 2007 to January 1, 2008. Effective immediately.

May 10 06 S Public Act 94-0754

94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 03076 Sen. James T. Meeks-Kwame Raoul, Kirk W. Dillard-Martin A. Sandoval-John J. Millner-Jacqueline Y. Collins,
Louis S. Viverito and Mattie Hunter
(Rep. David E. Miller-Jim Sacia-Harry Osterman-John A. Fritchey-Barbara Flynn Currie, Karen A. Yarbrough, Marlow H.
Colvin, Robin Kelly and Deborah L. Graham)

New Act

30 ILCS 105/5.663 new

730 ILCS 5/5-9-1 from Ch. 38, par. 1005-9-1

Creates the Law Enforcement Camera Grant Act. Creates the Law Enforcement Camera Grant Fund to be used for the installation of video cameras in law enforcement vehicles and training of law enforcement officers in the operation of the cameras. Provides that the Illinois Law Enforcement Training Standards Board shall administer the program. Amends the Unified Code of Corrections. Creates an additional penalty of \$1 for every \$40 fine imposed for a criminal or traffic offense, not including parking or registration offenses, to be deposited into the Law Enforcement Camera Grant Fund. Contains other provisions. Amends the State Finance Act to create the special fund. Effective immediately.

Jun 30 06 S Public Act 94-0987

Legislative Information System
94th General Assembly
Synopsis of Legislation Passed Both Houses
Second year of General Assembly

SB 03086 Sen. Susan Garrett-Dan Cronin-John J. Millner, William E. Peterson, Todd Sieben-Jacqueline Y. Collins, Don Harmon, Edward Petka, Peter J. Roskam, Dale E. Risinger, Dale A. Righter, George P. Shadid-Jeffrey M. Schoenberg, Larry K. Bomke, Cheryl Axley, Ira I. Silverstein, Chris Lauzen, William R. Haine, John M. Sullivan and Terry Link

(Rep. John E. Bradley-Jack D. Franks-Eddie Washington-Dave Winters-Patricia Reid Lindner, Jim Watson, Lisa M. Dugan, Careen M Gordon, Timothy L. Schmitz, Harry R. Ramey, Jr., Ed Sullivan, Jr., Dan Reitz, Brandon W. Phelps, Daniel V. Beiser, Kurt M. Granberg, Kenneth Dunkin, Frank J. Mautino, Mike Bost, Robert F. Flider, Robert S. Molaro, James D. Brosnahan, Mike Boland, Lou Lang and Ronald A. Wait)

5 ILCS 70/10 new

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

735 ILCS 5/7-115.5 new

735 ILCS 5/7-121 from Ch. 110, par. 7-121

735 ILCS 5/7-122 from Ch. 110, par. 7-122

30 ILCS 805/8.30 new

Amends the Statute on Statutes. Prohibits all takings under the power of eminent domain by the State or a unit of local government for private development unless the property is within an area that is a "blighted area" and the condemning authority has entered into a written agreement with a private person or entity that agrees to undertake a development project within the blighted area that specifically details the reasons for which the property or rights in the property are necessary for the success of the development project. Defines "private development". Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that in all eminent domain actions in which a property owner is displaced, the displacing entity must pay certain costs related to the relocation and displacement of the property owner's residence, business, or farm operation. Amends the Eminent Domain Article in the Code of Civil Procedure. Provides that, in a condemnation proceeding in which the property has been designated by the condemning authority by ordinance as blighted, the condemning authority must demonstrate and prove by a preponderance of the evidence that the property is blighted property. Provides that the existence of an ordinance designating property as blighted is not prima facie evidence of blight. Provides that an ordinance designating property as "blighted property" shall not be presumed to be valid for purposes of the condemnation proceeding. Makes changes concerning the valuation of condemned property. Requires reimbursement of the property owner for certain relocation costs. Establishes guidelines for determining reasonable attorney's fees (i) if the court awards just compensation that exceeds the initial written offer of the condemning authority and (ii) if the court determines that the taking is not warranted. Preempts home rule powers. Amends the State Mandates Act to require implementation without reimbursement by the State. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

735 ILCS 5/7-122.5 new

Replaces everything after the enacting clause. Reinserts the provisions of the bill as introduced, with the following changes: In the Statute on Statutes, deletes from the definition of "private development" provisions (i) excluding development that benefits the State, a unit of local government, or a school district and (ii) excluding development for which the use of eminent domain is authorized by law after the effective date. In a provision prohibiting the use of eminent domain for private purposes, makes an exception for the taking of property in a blighted area when the exercise of eminent domain power and the proposed use of the property are consistent with a regional plan that has been adopted within the past 5 years in accordance with Section 5-14001 of the Counties Code or Section 11-12-6 of the Illinois Municipal Code or with a local land resource management plan adopted under Section 4 of the Local Land Resource Management Planning Act. In the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code, in the provisions added to the definition of "redevelopment project costs", deletes a phrase requiring payment by the displacing entity and provides that the terms used are as defined in the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and its implementing regulations. In the Eminent Domain Article of the Code of Civil Procedure, (i) redefines "blighted", (ii) bases the determination of fair market value, in certain circumstances, on a date other than the date of filing the complaint to condemn, and (iii) changes the manner of determining reasonable attorney's fees. Also makes stylistic and technical changes. Provides that this Act does not apply to any action that was commenced prior to April 15, 2006. Effective immediately.

Senate Floor Amendment No. 2

Further amends the Statute on Statutes in relation to the exercise of eminent domain for private development purposes. Excludes from the term "private development": (1) development for which the exercise of eminent domain is authorized under the Telephone Company Act; and (2) development of property that is a historic resource, local landmark, or contributing structure within a local landmark district, if the proposed development requires that the character of the property be preserved.

House Amendment No. 1

Deletes reference to:

5 ILCS 70/10 new

SB 03086 (CONTINUED)

Deletes reference to:

65 ILCS 5/11-74.4-3

Deletes reference to:

735 ILCS 5/7-115.5 new

Deletes reference to:

735 ILCS 5/7-121

Deletes reference to:

735 ILCS 5/7-122

Deletes reference to:

735 ILCS 5/7-122.5 new

Deletes reference to:

30 ILCS 805/8.30 new

Adds reference to:

New Act

Adds reference to:

735 ILCS 5/Art. VII rep.

Adds reference to:

30 ILCS 805/8.30 new

Adds reference to:

5 ILCS 220/7.5 new

Adds reference to:

5 ILCS 585/5 new

Adds reference to:

15 ILCS 330/3 new

Adds reference to:

20 ILCS 5/5-680 new

Adds reference to:

20 ILCS 620/9.5 new

Adds reference to:

20 ILCS 685/1.5 new

Adds reference to:

20 ILCS 835/2.5 new

Adds reference to:

20 ILCS 1110/3.05 new

Adds reference to:

20 ILCS 1920/2.14 new

Adds reference to:

20 ILCS 3105/9.08c new

Adds reference to:

20 ILCS 3110/5.2 new

Adds reference to:

40 ILCS 5/15-167.4 new

Adds reference to:

45 ILCS 30/4 new

Adds reference to:

45 ILCS 35/42 new

Adds reference to:

45 ILCS 110/1.5 new

SB 03086 (CONTINUED)

Adds reference to:

50 ILCS 20/14.3 new

Adds reference to:

50 ILCS 30/6.4a new

Adds reference to:

50 ILCS 605/5 new

Adds reference to:

55 ILCS 5/5-1128 new

Adds reference to:

55 ILCS 85/9.5 new

Adds reference to:

55 ILCS 90/62 new

Adds reference to:

60 ILCS 1/85-12 new

Adds reference to:

65 ILCS 5/11-61-4 new

Adds reference to:

65 ILCS 20/21-19.5 new

Adds reference to:

65 ILCS 100/3.5 new

Adds reference to:

65 ILCS 110/62 new

Adds reference to:

70 ILCS 5/9.05 new

Adds reference to:

70 ILCS 10/4.5 new

Adds reference to:

70 ILCS 15/3.5 new

Adds reference to:

70 ILCS 200/2-20

Adds reference to:

70 ILCS 200/10-15.5 new

Adds reference to:

70 ILCS 200/20-17 new

Adds reference to:

70 ILCS 200/75-22 new

Adds reference to:

70 ILCS 200/80-17 new

Adds reference to:

70 ILCS 200/125-17 new

Adds reference to:

70 ILCS 200/155-17 new

Adds reference to:

70 ILCS 200/170-22 new

Adds reference to:

70 ILCS 200/185-17 new

Adds reference to:

70 ILCS 200/200-17 new

SB 03086 (CONTINUED)

Adds reference to:

70 ILCS 200/205-17 new

Adds reference to:

70 ILCS 200/215-17 new

Adds reference to:

70 ILCS 200/255-22 new

Adds reference to:

70 ILCS 200/265-22 new

Adds reference to:

70 ILCS 200/280-22 new

Adds reference to:

70 ILCS 210/5.3 new

Adds reference to:

70 ILCS 405/22.04a new

Adds reference to:

70 ILCS 410/12e new

Adds reference to:

70 ILCS 507/17 new

Adds reference to:

70 ILCS 520/8.5 new

Adds reference to:

70 ILCS 605/4-17.5 new

Adds reference to:

70 ILCS 615/7 new

Adds reference to:

70 ILCS 705/10.5 new

Adds reference to:

70 ILCS 805/6.5 new

Adds reference to:

70 ILCS 810/8.5 new

Adds reference to:

70 ILCS 910/15.4 new

Adds reference to:

70 ILCS 915/3.5 new

Adds reference to:

70 ILCS 920/5.05 new

Adds reference to:

70 ILCS 925/22 new

Adds reference to:

70 ILCS 1005/7.5 new

Adds reference to:

70 ILCS 1105/8.5 new

Adds reference to:

70 ILCS 1205/8-1.2 new

Adds reference to:

70 ILCS 1225/2.5 new

Adds reference to:

70 ILCS 1230/1-b new

SB 03086 (CONTINUED)

Adds reference to:
70 ILCS 1250/2.5 new

Adds reference to:
70 ILCS 1290/1.5 new

Adds reference to:
70 ILCS 1305/3 new

Adds reference to:
70 ILCS 1310/5.5 new

Adds reference to:
70 ILCS 1505/15.5 new

Adds reference to:
70 ILCS 1570/5.5 new

Adds reference to:
70 ILCS 1805/8.5 new

Adds reference to:
70 ILCS 1810/7.5 new

Adds reference to:
70 ILCS 1815/13.5 new

Adds reference to:
70 ILCS 1820/5.05 new

Adds reference to:
70 ILCS 1825/5.05 new

Adds reference to:
70 ILCS 1830/14.5 new

Adds reference to:
70 ILCS 1835/6.05 new

Adds reference to:
70 ILCS 1845/5.5 new

Adds reference to:
70 ILCS 1850/5.05 new

Adds reference to:
70 ILCS 1855/5.05 new

Adds reference to:
70 ILCS 1860/5.05 new

Adds reference to:
70 ILCS 1865/5.5 new

Adds reference to:
70 ILCS 1870/8.5 new

Adds reference to:
70 ILCS 1905/16.5 new

Adds reference to:
70 ILCS 1915/27 new

Adds reference to:
70 ILCS 2105/10b new

Adds reference to:
70 ILCS 2205/15.5 new

Adds reference to:
70 ILCS 2305/8.05 new

SB 03086 (CONTINUED)

Adds reference to:

70 ILCS 2405/8.05 new

Adds reference to:

70 ILCS 2605/8.5 new

Adds reference to:

70 ILCS 2805/10.5 new

Adds reference to:

70 ILCS 2905/2-7.5 new

Adds reference to:

70 ILCS 3010/10.5 new

Adds reference to:

70 ILCS 3205/12.1 new

Adds reference to:

70 ILCS 3405/16.05 new

Adds reference to:

70 ILCS 3605/8.5 new

Adds reference to:

70 ILCS 3610/5.4 new

Adds reference to:

70 ILCS 3615/2.13a new

Adds reference to:

70 ILCS 3705/12.5 new

Adds reference to:

70 ILCS 3715/6.5 new

Adds reference to:

75 ILCS 5/4-7.05 new

Adds reference to:

75 ILCS 16/30-55.82 new

Adds reference to:

75 ILCS 65/1.5 new

Adds reference to:

105 ILCS 5/22-40 new

Adds reference to:

110 ILCS 305/7i new

Adds reference to:

110 ILCS 325/2.5 new

Adds reference to:

110 ILCS 335/3.5 new

Adds reference to:

110 ILCS 525/3.5 new

Adds reference to:

110 ILCS 615/3.5 new

Adds reference to:

110 ILCS 660/5-42 new

Adds reference to:

110 ILCS 661/6-12 new

Adds reference to:

110 ILCS 665/10-42 new

SB 03086 (CONTINUED)

Adds reference to:

110 ILCS 666/11-12 new

Adds reference to:

110 ILCS 670/15-42 new

Adds reference to:

110 ILCS 671/16-12 new

Adds reference to:

110 ILCS 675/20-42 new

Adds reference to:

110 ILCS 676/21-12 new

Adds reference to:

110 ILCS 680/25-42 new

Adds reference to:

110 ILCS 681/26-12 new

Adds reference to:

110 ILCS 685/30-42 new

Adds reference to:

110 ILCS 686/31-12 new

Adds reference to:

110 ILCS 690/35-42 new

Adds reference to:

110 ILCS 691/36-12 new

Adds reference to:

110 ILCS 710/3.5 new

Adds reference to:

110 ILCS 805/3-36.5 new

Adds reference to:

220 ILCS 5/8-509.5 new

Adds reference to:

220 ILCS 15/1.5 new

Adds reference to:

220 ILCS 30/13.5 new

Adds reference to:

220 ILCS 55/3.5 new

Adds reference to:

220 ILCS 65/4.5 new

Adds reference to:

225 ILCS 435/24 new

Adds reference to:

225 ILCS 440/9.5 new

Adds reference to:

310 ILCS 5/6.5 new

Adds reference to:

310 ILCS 10/8.3b new

Adds reference to:

310 ILCS 20/5.5 new

Adds reference to:

310 ILCS 35/2.5 new

SB 03086 (CONTINUED)

Adds reference to:

315 ILCS 5/14.5 new

Adds reference to:

315 ILCS 10/5.5 new

Adds reference to:

315 ILCS 20/9.5 new

Adds reference to:

315 ILCS 25/6.5 new

Adds reference to:

315 ILCS 30/12.5 new

Adds reference to:

415 ILCS 95/6.5 new

Adds reference to:

420 ILCS 35/1.5 new

Adds reference to:

515 ILCS 5/1-147 new

Adds reference to:

520 ILCS 5/1.9-2 new

Adds reference to:

520 ILCS 25/37 new

Adds reference to:

525 ILCS 30/7.05a new

Adds reference to:

525 ILCS 40/3.5 new

Adds reference to:

605 ILCS 5/4-501.5 new

Adds reference to:

605 ILCS 10/9.7 new

Adds reference to:

605 ILCS 115/16 new

Adds reference to:

610 ILCS 5/17.5 new

Adds reference to:

610 ILCS 70/1.05 new

Adds reference to:

610 ILCS 115/2.5 new

Adds reference to:

615 ILCS 5/19.5 new

Adds reference to:

615 ILCS 10/7.8a new

Adds reference to:

615 ILCS 15/7.5 new

Adds reference to:

615 ILCS 30/9.5 new

Adds reference to:

615 ILCS 45/10.5 new

Adds reference to:

620 ILCS 5/74.5 new

SB 03086 (CONTINUED)

Adds reference to:

620 ILCS 25/33.5 new

Adds reference to:

620 ILCS 40/2.5 new

Adds reference to:

620 ILCS 45/7.5 new

Adds reference to:

620 ILCS 50/31.5 new

Adds reference to:

620 ILCS 52/20 new

Adds reference to:

620 ILCS 55/5 new

Adds reference to:

620 ILCS 65/17 new

Adds reference to:

625 ILCS 5/2-105.5 new

Adds reference to:

765 ILCS 230/2.5 new

Adds reference to:

765 ILCS 505/1.5 new

Adds reference to:

805 ILCS 25/2.05 new

Adds reference to:

805 ILCS 30/7.5 new

Adds reference to:

805 ILCS 120/9.5 new

Adds reference to:

805 ILCS 320/16.5 new

Adds reference to:

5 ILCS 140/7

from Ch. 116, par. 207

Adds reference to:

20 ILCS 5/5-675

was 20 ILCS 5/51

Adds reference to:

20 ILCS 685/1

from Ch. 127, par. 47.21

Adds reference to:

20 ILCS 835/2

from Ch. 105, par. 466

Adds reference to:

20 ILCS 1110/3

from Ch. 96 1/2, par. 4103

Adds reference to:

20 ILCS 3105/9.08a

from Ch. 127, par. 779.08a

Adds reference to:

20 ILCS 3110/5

from Ch. 127, par. 213.5

Adds reference to:

35 ILCS 200/22-55

Adds reference to:

35 ILCS 200/22-95

Adds reference to:

50 ILCS 20/14

from Ch. 85, par. 1044

SB 03086 (CONTINUED)

Adds reference to:	
50 ILCS 605/2	from Ch. 30, par. 157
Adds reference to:	
50 ILCS 605/4	from Ch. 30, par. 158a
Adds reference to:	
55 ILCS 5/5-15009	from Ch. 34, par. 5-15009
Adds reference to:	
55 ILCS 5/5-30021	from Ch. 34, par. 5-30021
Adds reference to:	
60 ILCS 1/115-55	
Adds reference to:	
65 ILCS 5/11-19-10	from Ch. 24, par. 11-19-10
Adds reference to:	
65 ILCS 5/11-28-1	from Ch. 24, par. 11-28-1
Adds reference to:	
65 ILCS 5/11-61-1a	from Ch. 24, par. 11-61-1a
Adds reference to:	
65 ILCS 5/11-63-5	from Ch. 24, par. 11-63-5
Adds reference to:	
65 ILCS 5/11-65-3	from Ch. 24, par. 11-65-3
Adds reference to:	
65 ILCS 5/11-66-10	from Ch. 24, par. 11-66-10
Adds reference to:	
65 ILCS 5/11-71-1	from Ch. 24, par. 11-71-1
Adds reference to:	
65 ILCS 5/11-71-10	from Ch. 24, par. 11-71-10
Adds reference to:	
65 ILCS 5/11-74.2-9	from Ch. 24, par. 11-74.2-9
Adds reference to:	
65 ILCS 5/11-75-5	from Ch. 24, par. 11-75-5
Adds reference to:	
65 ILCS 5/11-92-3	from Ch. 24, par. 11-92-3
Adds reference to:	
65 ILCS 5/11-97-2	from Ch. 24, par. 11-97-2
Adds reference to:	
65 ILCS 5/11-103-3	from Ch. 24, par. 11-103-3
Adds reference to:	
65 ILCS 5/11-119.1-7	from Ch. 24, par. 11-119.1-7
Adds reference to:	
65 ILCS 5/11-119.2-7	from Ch. 24, par. 11-119.2-7
Adds reference to:	
65 ILCS 5/11-123-4	from Ch. 24, par. 11-123-4
Adds reference to:	
65 ILCS 5/11-130-9	from Ch. 24, par. 11-130-9
Adds reference to:	
65 ILCS 5/11-135-6	from Ch. 24, par. 11-135-6
Adds reference to:	
65 ILCS 5/11-136-6	from Ch. 24, par. 11-136-6

SB 03086 (CONTINUED)

Adds reference to:

65 ILCS 5/11-139-12

from Ch. 24, par. 11-139-12

Adds reference to:

65 ILCS 5/11-141-10

from Ch. 24, par. 11-141-10

Adds reference to:

65 ILCS 100/3

from Ch. 85, par. 6033

Adds reference to:

70 ILCS 5/9

from Ch. 15 1/2, par. 68.9

Adds reference to:

70 ILCS 15/3

from Ch. 15 1/2, par. 703

Adds reference to:

70 ILCS 200/2-20

Adds reference to:

70 ILCS 200/10-15

Adds reference to:

70 ILCS 200/20-15

Adds reference to:

70 ILCS 200/75-20

Adds reference to:

70 ILCS 200/80-15

Adds reference to:

70 ILCS 200/125-15

Adds reference to:

70 ILCS 200/155-15

Adds reference to:

70 ILCS 200/185-15

Adds reference to:

70 ILCS 200/200-15

Adds reference to:

70 ILCS 200/205-15

Adds reference to:

70 ILCS 200/215-15

Adds reference to:

70 ILCS 200/255-20

Adds reference to:

70 ILCS 200/265-20

Adds reference to:

70 ILCS 200/280-20

Adds reference to:

70 ILCS 210/5

from Ch. 85, par. 1225

Adds reference to:

70 ILCS 410/12

from Ch. 96 1/2, par. 7112

Adds reference to:

70 ILCS 507/15

Adds reference to:

70 ILCS 520/8

from Ch. 85, par. 6158

Adds reference to:

70 ILCS 615/6

from Ch. 42, par. 359

SB 03086 (CONTINUED)

Adds reference to:	
70 ILCS 705/10	from Ch. 127 1/2, par. 30
Adds reference to:	
70 ILCS 910/16	from Ch. 23, par. 1266
Adds reference to:	
70 ILCS 915/3	from Ch. 111 1/2, par. 5004
Adds reference to:	
70 ILCS 915/9	from Ch. 111 1/2, par. 5019
Adds reference to:	
70 ILCS 925/20	
Adds reference to:	
70 ILCS 925/85	
Adds reference to:	
70 ILCS 1205/8-1	from Ch. 105, par. 8-1
Adds reference to:	
70 ILCS 1205/11.1-3	from Ch. 105, par. 11.1-3
Adds reference to:	
70 ILCS 1225/2	from Ch. 105, par. 55
Adds reference to:	
70 ILCS 1230/1	from Ch. 105, par. 92
Adds reference to:	
70 ILCS 1250/2	from Ch. 105, par. 126
Adds reference to:	
70 ILCS 1290/1	from Ch. 105, par. 326
Adds reference to:	
70 ILCS 1310/5	from Ch. 105, par. 327h
Adds reference to:	
70 ILCS 1505/15	from Ch. 105, par. 333.15
Adds reference to:	
70 ILCS 1505/25.1	from Ch. 105, par. 333.23b
Adds reference to:	
70 ILCS 1505/26.3	from Ch. 105, par. 333.23n
Adds reference to:	
70 ILCS 1570/5	from Ch. 105, par. 82
Adds reference to:	
70 ILCS 1805/8	from Ch. 19, par. 608
Adds reference to:	
70 ILCS 1810/7	from Ch. 19, par. 158
Adds reference to:	
70 ILCS 1815/13	from Ch. 19, par. 813
Adds reference to:	
70 ILCS 1820/5	from Ch. 19, par. 855
Adds reference to:	
70 ILCS 1825/5	from Ch. 19, par. 255
Adds reference to:	
70 ILCS 1830/14	from Ch. 19, par. 514
Adds reference to:	
70 ILCS 1835/6	from Ch. 19, par. 706

SB 03086 (CONTINUED)

Adds reference to:	
70 ILCS 1845/5	from Ch. 19, par. 355
Adds reference to:	
70 ILCS 1850/5	from Ch. 19, par. 405
Adds reference to:	
70 ILCS 1860/5	from Ch. 19, par. 288
Adds reference to:	
70 ILCS 1865/5	from Ch. 19, par. 183
Adds reference to:	
70 ILCS 1870/8	from Ch. 19, par. 758
Adds reference to:	
70 ILCS 1905/16	from Ch. 114, par. 376
Adds reference to:	
70 ILCS 1915/25	
Adds reference to:	
70 ILCS 2105/10a	from Ch. 42, par. 393
Adds reference to:	
70 ILCS 2205/18	from Ch. 42, par. 264
Adds reference to:	
70 ILCS 2305/15	from Ch. 42, par. 291
Adds reference to:	
70 ILCS 2405/16.9	from Ch. 42, par. 315.9
Adds reference to:	
70 ILCS 2405/16.10	from Ch. 42, par. 315.10
Adds reference to:	
70 ILCS 2405/18	from Ch. 42, par. 317
Adds reference to:	
70 ILCS 2605/16	from Ch. 42, par. 336
Adds reference to:	
70 ILCS 2805/24	from Ch. 42, par. 435
Adds reference to:	
70 ILCS 2805/26i	from Ch. 42, par. 437i
Adds reference to:	
70 ILCS 2805/26j	from Ch. 42, par. 437j
Adds reference to:	
70 ILCS 2805/27	from Ch. 42, par. 438
Adds reference to:	
70 ILCS 2805/32k	from Ch. 42, par. 443k
Adds reference to:	
70 ILCS 2805/32l	from Ch. 42, par. 443l
Adds reference to:	
70 ILCS 3010/10	from Ch. 42, par. 319.10
Adds reference to:	
70 ILCS 3205/12	from Ch. 85, par. 6012
Adds reference to:	
70 ILCS 3405/16	from Ch. 42, par. 463
Adds reference to:	
70 ILCS 3615/2.13	from Ch. 111 2/3, par. 702.13

SB 03086 (CONTINUED)

Adds reference to:	
70 ILCS 3705/8	from Ch. 111 2/3, par. 195
Adds reference to:	
75 ILCS 65/1	from Ch. 81, par. 41
Adds reference to:	
110 ILCS 305/7	from Ch. 144, par. 28
Adds reference to:	
110 ILCS 325/2	from Ch. 144, par. 70.2
Adds reference to:	
220 ILCS 30/13	from Ch. 111 2/3, par. 413
Adds reference to:	
310 ILCS 5/38	from Ch. 67 1/2, par. 188
Adds reference to:	
310 ILCS 10/9	from Ch. 67 1/2, par. 9
Adds reference to:	
310 ILCS 20/5	from Ch. 67 1/2, par. 57
Adds reference to:	
310 ILCS 35/2	from Ch. 67 1/2, par. 104
Adds reference to:	
315 ILCS 5/14	from Ch. 67 1/2, par. 76
Adds reference to:	
315 ILCS 30/12	from Ch. 67 1/2, par. 91.112
Adds reference to:	
315 ILCS 30/22	from Ch. 67 1/2, par. 91.122
Adds reference to:	
420 ILCS 35/1	from Ch. 111 1/2, par. 230.1
Adds reference to:	
605 ILCS 5/6-309	from Ch. 121, par. 6-309
Adds reference to:	
605 ILCS 5/10-302	from Ch. 121, par. 10-302
Adds reference to:	
605 ILCS 5/10-602	from Ch. 121, par. 10-602
Adds reference to:	
605 ILCS 5/10-702	from Ch. 121, par. 10-702
Adds reference to:	
605 ILCS 10/9.5	
Adds reference to:	
615 ILCS 5/19	from Ch. 19, par. 66
Adds reference to:	
620 ILCS 5/74	from Ch. 15 1/2, par. 22.74
Adds reference to:	
620 ILCS 40/3	from Ch. 15 1/2, par. 71
Adds reference to:	
620 ILCS 45/7	from Ch. 15 1/2, par. 90
Adds reference to:	
620 ILCS 50/31	from Ch. 15 1/2, par. 135
Adds reference to:	
620 ILCS 65/15	

SB 03086 (CONTINUED)

Adds reference to:

625 ILCS 5/18c-7501 from Ch. 95 1/2, par. 18c-7501

Adds reference to:

765 ILCS 230/2 from Ch. 1, par. 3502

Adds reference to:

765 ILCS 1005/2 from Ch. 76, par. 2

Adds reference to:

805 ILCS 30/7 from Ch. 32, par. 405

Replaces everything after the enacting clause. Creates the Eminent Domain Act. Repeals the Eminent Domain Article of the Code of Civil Procedure and moves its provisions into the new Act. Adds new substantive provisions relating to takings for private use, the burden of proof, the elimination of blight, relocation expenses, and attorney's fees. Creates a list of eminent domain powers in other statutes. Makes numerous technical changes. Makes conforming changes in other statutes. Pre-empts home rule. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 2

Makes changes in provisions relating to applicability of the Act; valuation dates; relocation costs; attorney's fees and other costs; redevelopment project costs; the definition and determination of blight; acquisitions for utility, pipeline, and railroad purposes; acquisitions for other specified purposes; and the sale of certain property acquired by condemnation for public ownership or control. Changes the effective date to January 1, 2007.

House Amendment No. 3

Deletes reference to:

620 ILCS 65/17 new

Reinserts the provisions of House Amendment No. 2 with changes. Provides that a condemning authority may exercise the power of eminent domain for the acquisition of property in furtherance of an existing tax increment allocation redevelopment plan or the O'Hare Modernization Act as provided for by the law in effect prior to the effective date of this Act. Deletes certain references to public use. Provides that certain exemptions relating to the O'Hare Modernization Act apply to the damaging, as well as acquisition, of property. Provides that the valuation date is the date of filing the complaint under the O'Hare Modernization Act. In a Section providing that the Eminent Domain Act controls over conflicting laws, provides an exception for the acquisition or damaging of property under the O'Hare Modernization Act. Effective January 1, 2007.

Jun 01 06 S Sent to the Governor